

Hono.^mus Franciſcus Bacon. Baro de Verulam; Vice-
Comes S.^ti Albani. mortuus 9 Aprilis A 1626.
Annoq Ætatis ſuæ, 66.

Bibliotheca Sloaniana. 107.

LETTERS
OF
Sr Francis Bacon,
Baron of *Verulam*, Viſcount *St. Alban*, and Lord High *Chancellor* of *England.*

Written during the Reign of

King *James* the Firſt.

Now Collected, and Augmented with Several *LETTERS* and *MEMOIRES*, Addreſs'd by him to the *King* and Duke of *Buckingham*, which were never before Publiſhed.

The Whole being Illuſtrated by an Hiſtorical *INTRODUCTION* and ſome *Obſervations*, and diſpos'd according to the *Series* of Time.

LONDON,

Printed for *Benj. Tooke* at the *Middle-Temple-Gate* in *Fleetſtreet*, M DCC II.

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F. S.

TO HIS

Moſt Excellent MAJESTY

William the III.

King of *Great Britain*, *France* and *Ireland*, Defender of the Faith, &c.

May it pleaſe Your Majeſty,

THE Works of this Noble Author, having been Dedicated to Kings and Princes, Your *Majeſty's* Predeceſſors, I have preſumed to prefix your Auguſt Name before this Collection of his Letters.

It is my Lord *BACON*, who deliver'd *Philoſophy* and the *Sciences* from a long Captivity, that now ſues for the Favour of a *Prince*, who, under God, hath ſuſtain'd a Nobler Cauſe, the Cauſe of *Religion*, and of *Liberty*.

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And if, after all your *Majeſty's* Paſt, Preſent, and Future Actions, we ſhould ever be deprived of thoſe Bleſſings; your *Majeſty* by a Peculiar Greatneſs of Soul, and Æquanimity under all Difficulties, (without which the Character of an *Hero* doth not ſeem perfect) hath taught us not onely to Do, but to Suffer.

Vouchſafe, *Illuſtrious Sir*, to caſt your Eye, upon the enſuing *Letters* and *Memoires*; many of which having, in their *Originals*, been preſented to the Hands of one of your Royal Anceſtors, the whole are now moſt humbly offer'd to Yours.

But then, may your *Majeſty* be pleas'd to Pardon the Errors committed by the Publiſher, which are every where too viſible, but no where ſo apparent, as in the Preſumption of the Addreſs that is now made,

May it pleaſe Your Majeſty, by

Your Majeſty's moſt Humble,

and moſt Devoted Subject,

Robert Stephens.

THE PREFACE.

THE expoſing of other Mens Letters *to the World, may be eſteem'd ſo great a violation of the ſecrecy that is due to them, that I ſhould think my ſelf oblig'd to give ſome Reaſons for the preſent performance, had not a great Part of thoſe that follow, been already made Publick: All that is now attempted, being to render this* Collection *more compleat, and I hope, more acceptable, than any that has yet appear'd under the Name of this Learned Lord.*

But by excuſing my ſelf in a particular caſe, I would not be thought to condemn others for acting a part which the moſt Polite Ages and Nations have approv'd, or at leaſt indulged. For altho Familiar *Letters of Private Friends may be commonly of too tender a Compoſition, to thrive out of the* Boſom *in which they were firſt Planted; yet thoſe which are written by Men of Eminent* Wit, Learning, *or* Place *have been, and may be, under ſome Circumſtances, communicated to the reſt of Mankind.*

The Epiſtles *of the* Antients, *with ſome of the* Moderns, *are read with great delight and profit, and will probably laſt as long as Books themſelves; whilſt many* Volumes *of Familiar and Feign'd* Letters (*the encreaſe whereof was ſo juſtly cenſur'd by* Bocaline) *have been compell'd to live and die in Obſcurity.*

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Of all others, relating to Humane Affairs, those which are written by Miniſters *of* State, *and deduced in a* Series *of* Time, *are of the moſt eſteem, becauſe they afford Excellent* Inſtructions *for Civil* Prudence, *and the beſt* Materials *for* Hiſtory. *And for this I need cite no other Authority than my Lord* Bacon *himſelf in the* Second *Book of the* Advancement *of* Learning, *Chap.* 12*th.*

In divulging Memoires *of this nature, the* Engliſh *have been formerly looked upon as a reſerv'd Nation, whatever opinion may be now had of them. And if theſe which are laid before the Reader, be not adorned with that variety of* Events, *which may be found in ſome others, he will pleaſe to remember what* Places *the Writer held, and in what* Peaceable *Times he lived. His* Lordſhip *obſerving*, that *Times* are like *Ways*, ſome are more Up-hill and Down-hill, ſome are more Flat and Plain; the one is better for the *Liver*, the other for the *Writer*.

It remains that I give ſome account of the enſuing Papers, *that ſince I cannot add to the* Author's *Honour, I may not forget to do him and the* Reader *Juſtice. Thoſe which were publiſh'd in the* Reſuſcitatio, *by Dr.* Rawley, *(to whom the World is indebted for his Lordſhips* Poſthumous Works) *may be depended upon: Such as are taken from the* Cabala, *Sir* Tobie Mathew's *Collection, and other* Books, *wherein they are diſpers'd without any coherence of* Matter *or* Time, *altho they may have Errors, yet I hope not of that number or nature, as to diminiſh much from the value of the whole, or to reflect upon my care, ſince it was as far removed from my* Power *to reſtore all the Paſſages I judged faulty, as from my* Deſire *to tranſmit any thing imperfect, or unworthy the Character of ſo celebrated an Author. For which reaſon, among others, I have purpoſely omitted ſome Letters, which bear his name.*

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The Originals *which I have inſerted, and which I have noted at the beginning of each* Letter, *were preſerved by the care of a very worthy* Gentleman, *amongſt others of the like nature; and the deſire I had to preſerve the leaſt* Remains *of this Noble* Lord *from the Fate incident to looſe Papers, engaged me firſt to tranſcribe, then to reduce them into Order, and now to preſent them to the World. They commence ſome Months before he was made* Lord Keeper, *(where Dr.* Rawley's *Collection breaks off) and are continued almoſt to the time when the Great* Seal *was taken from him; ſo that could I have recover'd ſome Letters, which I fear are now loſt, They had filled a ſpace of Time, in which his Lordſhip was at the Higheſt, and of which there are but two or three already Publiſhed.*

All the Original *Letters are written by his own Hand, except one which is ſubſcribed by it; ſome of them are compoſed with care, but many of them in ſo haſty a manner, and difficult Character, that if they are fit to be ſeen by the Eye of the World, it is becauſe his moſt Caſual* Pieces *have been prefer'd to ſome others* Labours. *To any one that is the leaſt acquainted with his Lordſhip's* Style, *I doubt not but they will appear, what they really are,* Genuine. *But becauſe I have aſſerted ſome things which may depend upon my own Sincerity, in the Relations I have given from other* Manuſcripts; *I have made my ſelf publick in a way I never deſigned: Hoping that thoſe that know me, know me to be above the thoughts of impoſing upon the World, and requeſting all others to aſcribe the Errors I am guilty of, to any other defect than that of my Will.*

The Letters *which I have ſeen of the ſame Hand, written in the time of Queen* Elizabeth, *are all contain'd in the* Reſuſcitatio, *which was a good Reaſon in it ſelf, for me to begin theſe with the Reign of her* Succeſſor; *which I have diſpoſed in* order *of* Time, *as near as I could place them, unleßin one or two Caſes, I purpoſely inverted it, to preſerve*

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the Story more entire. My Desire to give all things relating to them, as well as the Author, the best Light *I could, hath carried me on to enlarge the* Introduction *beyond its just Limits, and to insert some* Characters *and* Observations *which may be thought superfluous.*

For the sake of that part of the Gentry, *whose Education denies them the knowledge of the Learned Languages, yet their Abilities in these sort of Writings, require that nothing that is valuable therein should be conceal'd from them; I have interpreted some* Latin *Citations in the* Margin, *&c. tho some I have overlook'd or neglected. As for the few Letters which were written to the* Universities, *I conceiv'd it sufficient to give an account upon what occasion they were sent, without troubling the Reader with a Translation.*

In my References to the Cabala, *I make use of the* Edition *of* 1691, *and to the* Resuscitatio *of that of* 1661; *which last Book was correctly published by Dr.* Rawley, *whereunto is prefix'd my Lord* Bacon's *Life, and from which together with the* Preliminary Discourse *to his* Remains, *Printed in* 1679, *and the Characters given of him before the* English *Translation of his* Advancement *of* Learning, *the Reader may take a view of some Particulars of his* Life *and* Works, *which I had no occasion given me to Treat of.*

For what respects my self, I have onely this to allege; that altho no just excuse can be made for a Man that voluntarily exposes himself as I have done, yet perhaps something may be allow'd by way of Mitigation. The Times of Leisure which I devoted to this Service were more interrupted than I had reason to expect; so that I wos engaged in the Press before the Copy *was prepared, till like an unwary* Soldier *advanced too far, I knew not well how to Retreat, or how to make my way through. For this Reason upon reviewing the* Whole *of what was sent by* Parts, *I find some things I might have left out, others added, many Expressions fit to be alter'd, and Defects in the* Style *reformed. All*

which

which might have appeared in a better manner, had I taken any advice of my Friends *in the* Design, *or what I think is much more wanted, their Judgement and Cenſure in the* Execution: *But this being a trouble I had neither the opportunity nor confidence to deſire of ſome of them, whoſe Opinions I very much value, it encourages me to ask, and hope to obtain, a greater ſhare of the Reader's Favour.*

To conclude, ſince poſſibly there may be ſome other Genuine Papers of this Author, and theſe Times, which have eſcaped the Diligence of Dr. Rawley, *and which are yet preſerv'd in Private Hands, or Publick* Repoſitories, *if thoſe which are Maſters of the one, or can direct me to the other, ſhall think ſo well of what is now done, as to wiſh theſe* Memoires *were more entire; I ſhall be ready to publiſh the ſame by way of* Supplement, *or in ſuch other manner as ſhall be thought the moſt proper.*

Nor ſhall I be leſs willing to rectifie any Miſtake, than I am to confeſs that which I have committed in the XLVII. *Page of the Introduction. Where, Sir* Edw. Coke *affirming that the King having ſuffer'd by means of the Lord* Treaſurer *and his Lady* 50000 *l. cenſur'd them in a Fine of* 100000 *l. altho' he ſaid he might very well have made it Quadruple: The word* Quadruple *ought to have referr'd to the firſt ſum, and may be corrected by putting that of* Double *in its place.*

The moſt conſiderable Typographical *Errors are remark'd at the end of the* Volume; *Leaving ſome others of leſs conſequence, and all thoſe which are committed in the Pointing, to the Readers own Obſervation and Amendment.*

Middle-Temple,
14. Febr. 170½

R. S.

THE

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Introduction.

UPON the Deceaſe of Queen *Elizabeth*, *James* the VIth. King of *Scotland*, became the firſt Monarch of *Great Britain*. Which remarkable Succeſſion, being the Subject of ſome of the following Letters, I cannot proceed ſo contrary to my own Inclinations, and the manner of other Writers upon this Occaſion, as to neglect offering ſome Tributes of Honour, to the memory of a Princeſs, under whoſe Auſpicious Government, *England* ſeem'd to conſummate all its former Glories. A Princeſs, Celebrated by Hiſtorians, of very different Opinions, and even by one of the *Popes*, her declared Enemy, as one of the greateſt and worthieſt that ever wore a Crown. In the Entrance of her Reign, ſhe eſtabliſhed the Religion with a gentle Hand, her Siſter had endeavour'd to extirpate with Fire and Flames; Repair'd the Treaſure exhauſted; Recoin'd the Money debaſed; Secur'd the Nation from Powerful Enemies abroad, made yet more Powerful by deceitful Subjects at Home: So that ſhe ſpred the Bleſſings of Peace over all the Land, for almoſt Twenty Years. Till being provoked to the laſt Degree by the Popes, ſhe uſed ſome neceſſary Remedies to reſtrain their Party: Reveng'd the Injuries received, and prevented thoſe deſign'd from the King of *Spain*; by ſupporting the *United Provinces*, making the utmoſt efforts for their Liberties; by aſſiſting King *Henry* the IVth. of *France*, ready to ſink under the mighty and ſucceſsful Power of the *League*. Upon

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the Ocean ſhe repulſ'd his Fleets with ſhame, whilſt with her own, ſhe inſulted him both in the Old and New World, and carried the Fame of her ſelf, and Nation throughout the Univerſe.

Her great Council, the Parliaments were ſo ſatisfied with her Conduct, that they ſometimes gave her more than ſhe expected, and once more than ſhe would receive. Her private Counſels were Wiſe, and directed by few; yet thoſe ſo well choſen, as reflected no leſs Honour upon her own Judgement, than Security on her People. The Lord *Burleigh*, Sir *Nicholas Bacon*, and Sir *Francis Walſingham*, were ſome of her moſt faithful and able Servants. The firſt of them ſeems to have been her chiefeſt Miniſter for Forty Years; and they all of them ſerved her with ſuch ſingular Ability and Fidelity, that they have appeared as Examples, rather admired than imitated: Eſpecially Sir *Francis Walſingham*; who, tho' he was one of the Wiſeſt and moſt Sagacious Men of the Age, who had long undergon the the Office of principal *Secretary* of *State*, and often of *Ambaſſador*, and had ſurely the opportunity of enriching himſelf at the Publick Expence; yet he waſted both his own Health and Fortunes, for the Health and Proſperity of the Nation. Contenting himſelf with a true and laſting Glory, of having maintain'd the Cauſe and Intereſt of his Religion, his Prince, and Country; and with the ſatisfaction of ſeeing his onely Child, by *Urſula*, the Daughter of *Henry St. Barbe*, Eſq; Married to Sir *Philip Sidney*, and after his untimely and much lamented Death, to *Robert D'Evereux* Earl of *Eſſex*, two of the fineſt Gentlemen of their Times.

In the choice of her Martial Men, the Queen had the ſame, and perhaps a more peculiar *Felicity*; as it is obſerved by one, that knew as well as any the Renowned Sir *Walter Raleigh*, in his *Hiſtory* of the *World*, in theſe Words. 'That 'her Majeſty had many Adviſed, Valiant and Faithful Men, 'the Proſperity of her own Affairs did well witneſs; who, 'in all her days, never received Diſhonour by the Cowar-'dize, or Infidelity of any Commander by her ſelf choſen 'or emploied.

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But this Wiſe and Provident Lady, who had admired our Authors Ingenuous Parts, when a Boy, and employed them when a Man, had cheriſhed him rather with the Bounty of her Voice, than of her Hand: For tho' ſhe made uſe of his Counſel in Matters of *Law*, and his Pen and Advice in ſome Matters of *State*, (as being every way qualified to ſerve her in both;) yet according to the Reports of thoſe Times, his Merits were ſuppreſſed by the Jealouſies of one, who was near to the *Queen*, in Place and Power, tho' near to Mr. *Bacon* in Conſanguinity. So little is the Relation of Nature conſidered, where private Intereſt comes in Competition.

Upon which account, it cannot be thought ſtrange; That tho' he honoured the Memory of his Deceaſed Miſtreſs, he ſhould pay ſome Adoration to the *Riſing Sun*: Which, whilſt many others, the moſt Zealous and Active did in Perſon, he performed by his Pen; as will appear at the beginning of the following *Letters*, ſome of which, he Addreſſed to thoſe about his Majeſty, and one to the King himſelf.

For the Declaration of a *Succeſſor*, which the Queen could not be induced to make in her Health, being obtained from her, in that Sickneſs, which put a Period to her Life, upon the 24th. of *March* $160\frac{2}{3}$; had drawn the Eyes of all thoſe, who expected Place and Preferment towards the *North*. And the receiving the King into the peaceable Poſſeſſion of the Throne, had diſſipated thoſe fears, into which many wiſe Men were fallen, through the Pretences and Titles to the Crown, about this time, induſtriouſly ſpread abroad. Yet notwithſtanding, the Subjection of the whole Iſland to one King, the Reduction of *Ireland*, which had long given the Queen, much trouble, effected; there ſucceeded in the Opinion of many, but a Feeble and Inglorious Reign.

The King was hardly Seated in his new Throne, when he gave one Inſtance of Deviating from the ways of his Predeceſſor, who had been ſo wary in Conferring *Titles* of *Honour*, that its true and ancient Path, though the *Temple* of *Vertue*, became almoſt viſible again. His Majeſty, as if he could not beſtow enough of Graces and Favours; for

this new and eaſie Acquiſition, created ſeveral Hundred *Knights*, within a few Months after he came into *England*: Tho' I think it may be affirmed, That this Dignity fell much upon Perſons of Eſtates, Families, and Merit, of which Number was Mr. *Bacon* Knighted at *White-Hall*, upon the 23d. of *July* 1603. For what Reaſons, the King, ſome Years after, erected an *Order*, which engaged many of the prime Gentry of the Nation, as being ſomething Superior in Honour, and much in Duration, and how far it has ſince varied from, and exceeded the Limits and Rules of its firſt Inſtitution, would be neeedleſs for me to obſerve.

The two *Crowns*, being thus united in the *Perſon* of one *King*, there was nothing that he more earneſtly deſired and endeavoured; according to the Text of Scripture, he Inſcribed upon ſome of his Coin, *Faciam eos in Gentem unam*, than a *real Union* of the Nations: And that, as far as it might be effected both in point of Naturalization with ſome Reſtrictions as to enjoying Offices, *&c.* And by an *Union* of the greateſt part of the Laws. Wherein the King declares, his Intention was to conform the Laws of *Scotland*, to the Laws of *England*. For which purpoſe, upon recommending this Affair to the firſt Seſſion of *Parliament*, an Act was paſſed, Authorizing certain Commiſſioners to treat with others of *Scotland*, for the Weal of both Kingdoms. In which Number, Sir *Fra. Bacon* writes in one of theſe Letter, that he had the firſt *Vote* in the *Houſe of Commons*: As in another he ſaith, That in the Buſineſs of the *Union*, the Labour for Men of his Profeſſion, lay moſt upon his Hands. The Commiſſioners, after ſeveral Conferences, reſolved upon ſome Preliminaries, but differ'd in the manner, and extent of the Naturalization: Inſomuch, that the Novelty of the Argument, and the Weight and Conſequence thereof, which exerciſed the Tongues, and Pens of the Politicians of thoſe Times, both within and without the Houſes of *Parliament*; rendred all the King's Applications and Speeches, to thoſe Aſſemblies, in a great meaſure ineffectual. But, what he could not obtain of them, he did in ſome part, of his *Judges*, who in the *Exchequer-Chamber* in the great Caſe of *Calvin*, reported by my Lord

Lord *Coke*, did almoſt unanimouſly reſolve, that the *Scots* which were born after the Acceſſion of the King, to the Crown of *England*, were Subjects thereof and not *Aliens*. Yet this ill Succeſs in K. *James*, hath not diſcouraged his Succeſſors to attempt the like, and particularly his preſent *Majeſty*; upon which the *Lords* recommended a *Bill* to the Houſe of *Commons* in a peculiar manner. And if ever this Matter comes to have the Conſideration it ſeems to deſerve, the Pains, and Care, and Caution, Sir *Francis Bacon* employ'd in promoting and adviſing the *Union*, which appear in Two Speeches in Parliament, and Two little Tracts, Addreſs'd to the King, extant in the *Reſuſcitatio*, will very much Facilitate all others Labours, and may poſſibly meet with a better Event.

But if his Services therein were acceptable to the King, the Book, which he about the ſame time publiſhed, of the Progreſs and *Advancement of Learning*, was no leſs grateful to the moſt Ingenious Schollars of the Nation. He had, whilſt he was very young, and in the Univerſity made ſome Reflections upon the Unproſperous State of the *Commonwealth* of *Learning*, That the *Philoſophy*, as uſualy taught, was more Accommodate to the Diſputation of the *Schools*, than to the Improvment of Reaſon, or Productive of any real Uſe to Mankind. So that tho' the ſtraitneſs of his Fortunes made him apply himſelf to a Profeſſion, and to the Laborious Study of the Municipal Laws; yet the Greatneſs of his Wit, and earneſt Deſire of being Maſter of all the uſeful Knowledge, devoted his leaſure hours, unto a ſerious peruſal of the beſt Ancient Authors, and a deep Contemplation of the Works of Nature. In theſe Intervals of time, he compoſed the Work I am now ſpeaking of, Printed, tho ſomewhat incorrectly in two Books *Quarto*, in the Year 1605, which he Dedicated to his Majeſty, as the moſt *Learned* of *Kings* which *Time* had known, and with the 12th, and ſome following Letters, he preſents it to ſeveral of the Nobility. But, becauſe it was Written in the *Engliſh* Tongue, to the end that it might be Communicated to Foreign Nations; he does by a Subſequent Letter, deſire Dr. *Playfer*, the Divinity Profeſſor in *Cambridge*, and one Celebrated for his Purity in the *Latine* Stile, to render it into that Univerſal Language.

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The Doctor endeavouring to outdo himself, fell short of himself, and sent such a Specimen of a Nice and Superfine Version; that the Author who always esteemed Matter above Words, never incouraged him to proceed therein.

Nor after the Doctor's Death, which happen'd in a few years, do I find that any other hand did undertake, or at least accomplish the same, till my Lord *Bacon* revised and inlarged the whole, and by the assistance of Mr. *George Herbert*, and some other Learned Men, put it forth in *Latin*, his Lordship very much correcting and altering those Expressions which did not attain to his own Conceptions. The Volume was Printed at *London* in the year 1623 in a very fair Edition in *Folio*, and soon after in *France*, *Holland*, &c. containing in the whole Nine Books. The *first* of which is in a great measure a Translation of the first Book of the former Edition, wherein he refutes the Objections that are made against Learning, considers the ill Estate and Disadvantages it lies under, and lastly the Dignity and Honour that belongs to the same. In the other *Eight* Books, wherein some things are omitted, many things added and amplified, the Author enters into a Summary *Partition* of the *Sciences*, and with a diligent eye surveys the uncultivated Parts of the Intellectual Globe; observes sometime what is erronious, but chiefly what is *deficient* in Learning and Knowledge; what is to be receiv'd, and what Materials are to be added, towards the erecting that new *Fabrick* of the *Sciences* which he had long had in Design; the Foundation whereof he begun to lay in his *Novum Organum*, the second Part of his *Instauratio magna Scientiarum*.

But if the Subject matter of that Work be often so abstruse, as to fly over many Peoples Heads; yet in his *Advancement of Learning*, his Thoughts are generally so easie and clear, and produc'd in so exact a Method and Order, that as few Persons can read it without instruction, so I think no Person can peruse it without pleasure. From this Tract it was that *Monsieur de Costar* selected several Passages, and sends them among others of his Literary Commerce to that Fine Wit of *France*, Monsieur *de Voiture*, who makes this Judgement of them. *I esteem all that you sent me of* Bacon's

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to be admirable; But would not Horace, *who calls the* Britains *Fierce and Inhoſpitable, be amaz'd to hear one of that Country diſcourſe at ſuch a rate?* Pity it is that a Work of ſo beautiful a Compoſition, written by a Perſon of ſo inimitable an *Engliſh Style*, ſhould inſtead of being illuſtrated, be obſcur'd by the Hand of Dr. *Wattes*, who tho' he had a great Veneration for my Lord *Bacon*, yet I think he ſometimes falls ſhort of his ſenſe, and oftner of his Spirit and Life, in the Expreſſions which he uſes in the *Tranſlation* he Publiſhed in 1640.

Before I proceed any farther in this Introduction, to the end that no Reader may be altogether ignorant of the Character of two Great Men, whoſe Names and Actions he will often meet with in the following Papers; I ſhall give ſome account of the Lord Chancellor *Elleſmere*, and Sir *Edward Coke* Lord Chief Juſtice of the *Common-Pleas*, and after of the *Kings-Bench*, both remarkable Men in their reſpective Courts of *Law* and *Equity*: And howſoever they diſagreed towards the latter part of their Lives, I hope it will not be improper for me to place them ſo near together in this.

Sir *Thomas Egerton* deſcended, tho' in an oblique Line, from an Ancient Family in *Cheſhire*, and from Brazen-Noſe *College* in *Oxford* remov'd to *Lincolns-Inne*; where he ſo well improv'd his Time, that Queen *Elizabeth* made him her *Solicitor* and *Attorney* General, and at length *Keeper* of the Great *Seal* of *England*, in the year 1596. Which he carried (with the additional Honour of Lord *Chancellor* and Baron of *Elleſmere*, given by King *James* at his Acceſſion to the Crown) until the beginning of the year 1617, when ſinking under the weight of Seventy ſeven years, tho' in full poſſeſſion of the King's Favours, notwithſtanding what ſome Pamphleteers have reported; he intreated his Majeſty by two Letters extant in the *Cabala*, to be diſcharg'd from an Office, which even in thoſe days was ſufficient to employ the Powers of any Man, in the ſtrength and perfection both of Body and Mind. Thoſe Letters as well as ſome others in this Collection, take notice of his Intentions to have before reſign'd his Place, and which he did ſoon after the King had

had Created him Viſcount *Brackley*, and at a time, I think, when further Honours were deſign'd for him. His Majeſty parted with an old and faithful Servant, with all imaginable Tenderneſs, and upon the Seventh of *March* 1616 committed the *Seal* to the Cuſtody of Sir *Francis Bacon*, who was the very Perſon his Lordſhip deſired might ſucceed him. But of this, as well as of ſome other things relating to this Lord, I ſhall have farther occaſion to ſpeak; ſo that I ſhall onely add, that he died at *York*-Houſe in the *Strand*, upon the Fifteenth of the ſame Month, and was Buried at *Dudleſton* in *Cheſhire*, without any other Pompe or Glory, than what reſulted from the Fame of his Virtuous Actions: Being a Perſon of a ready Apprehenſion, clear and ſolid Judgement, and conſummate Wiſdom. Sometime before he diveſted himſelf of the Chancellorſhip of *England*, he parted with that of the Univerſity of *Oxford*, where in the Gallery over the *Schools* is yet to be ſeen the Picture of his Perſon, which was ſo Venerable, that his Preſence and Carriage gave a Grace and Ornament to the *Court* in which he preſided, as his Ability and Integrity did a Sanction to his *Decrees*.

But if his Obſequiouſneſs to the King, with which Mr. *Osborn* and ſome others may charge him, does ſeem to detract from the Character I have given, admitting what they ſay to be true, (which is not always to be done in Perſons that appear more like Satyriſts than Hiſtorians,) yet in that he may be conſider'd as leaning to the Diſeaſe of the Times; but that he was ever touched with corruption, I do not remember it's any where ſuggeſted but by the aforeſaid Gentleman.

Sir *Edward Coke* was born in *Norfolk*, bred at *Trinity College* in *Cambridge*, and in the *Inner Temple*; where by his great Practice of the Common Law, his Profitable Places therein, his Rich Wives, and long Life, he rais'd that vaſt Eſtate tranſmitted to his Poſterity. And as he was eſteem'd the Oracle of the Laws in the Times he lived, ſo by the many Laborious Works he left; he continues ſtill to be the Guide and Director of all the Profeſſors in the Conduct of their Studies and Practice. After he had been once *Speaker* of the Houſe of Commons, *Solicitor* and *Attorney* General for

for many years; he was made *Chief Juſtice* of the Court of *Common-Pleas* in 1606, and of the *King's-Bench* in 1613. The chief Reaſons for which he was remov'd from the laſt, will be diſcover'd in theſe Diſcourſes on the year 1616; and ſome others are glanced at in the Speech the Lord *Chancellor* made to Sir *Henry Montague* his Succeſſor, Printed in Sir *Francis Moor*'s Reports, *pag.* 826. The Reader will alſo underſtand in its proper place, how he again recover'd and kept in the *King's* and Earl of *Buckingham*'s Favours until the year 1621: when ſhewing himſelf an active and zealous Patriot in the Parliament, he was upon the Diſſolution thereof Impriſon'd in the Tower, *&c.* And continuing of the ſame mind in the other, which was aſſembled in the latter end of K. *James*'s Time, King *Charles* in the firſt year of his Reign, did in order to prevent his ſerving again, appoint him to be *High-Sheriff* of *Buckingham-ſhire*, tho' he had been lately a *Privy-Counſellor*, and not long before Lord *Chief Juſtice*, and was then, as his Grandſon Mr. *Roger Coke* obſerves, *Seventy ſeven* years of Age. It may be preſumed that the ſerving of this Office contributed to animate the zeal and activity he expreſs'd in a ſubſequent Parliament; from the which, may be conjectur'd, that he retain'd his Vigor and Parts till near the end of his Life: Which he concluded in *Septemb.* 1634, at his Houſe at *Stoke* in *Buckingham-ſhire*. Having this Character given him by Judge *Croke*, That he was a Prudent, Grave and Learned Man in the Common Laws of this Realm, and of a Pious and Virtuous Life. But tho' he commits a miſtake in ſaying that he died in the *Eighty ſecond*, which ought to be the *Eighty ſixth* year of his Age; yet no doubt but his Commendation of Sir *Edward* is far from exceeding the Truth. As he was a Man, he was ſubject to Failings and Paſſions, but never more diſcover'd than in his earneſt, and if I may ſay, ungentle man like carriage in the proſecution of Sir *Walter Raleigh*: Nor does he then ſeem ſo great an Enemy to the Prerogative, whilſt he was riſing in the King's Favour, as when he was fallen from it; which takes off from the uniformity of his Character. The differences between him and Sir *Francis Bacon* were, as I conceive, Perſonal; my Lord *Coke* who had the

name of the greateſt *Lawyer*, envied the other the Reputation of being the greateſt *Scholar* of the *Profeſſion*; and while he does ſomtime endeavour a little unhappily to act that Part; Sir *Francis* by his Arguments then, and by what he has left relating to the Law, ſhews that he was not onely an able Proficient therein, but that if others had read or writ more in that *Science*, than himſelf; yet few had read to better purpoſe, or better conſider'd the nature of *Laws*, than he had done; as I may have occaſion to obſerve hereafter, and as the Reader may ſomething of the Diſagreements between theſe two Gentlemen from the 20th Letter.

But Sir *Francis Bacon*'s Merits procur'd him a better eſteem and uſage, from Perſons in greater Place and Power than the *Chief Juſtice*, and among others from the Lord *Chancellor*; to whom he addreſſes the 18th Letter with Propoſitions at large, to have the *Hiſtory* of *Great Britain* now united under one King, repreſented by ſome able Hand in a manner becoming the Dignity of the Subject. The ſucceeding Letter was preſented to his Majeſty together with a Specimen of the Beginning of a *Hiſtory* of his *Reign*; which no Perſon was likely to perform better than himſelf; ſince Sir *Walter Raleigh* obſerves in his Preface to the Hiſtory of the World, "That the Laws and Kinds of Hiſtory "had been taught by many, but by no Man better and with "greater brevity than by that Excellent Learned Gentleman "Sir *Francis Bacon*, *viz.* in his *Advancement of Learning*: And in reſpect alſo that he himſelf ſaith, he ſhould write of Times, not onely ſince he could remember, but ſince he could obſerve. From what he has left, we have reaſon to wiſh, that Leiſure or Inclination had permitted him to have continued the ſame, eſpecially ſince no Hand hath effected it to any ſatisfaction. But how well he ſucceeded in relating the Hiſtory of the *Reign* of one of the *Wiſeſt* of our *Kings*, is ſufficiently acknowledged by other Nations as well as his own.

Yet the Books he was known to read, beſides thoſe of his Profeſſion, and the Learning he was endued withal, which made him ſo great a Benefactor to the World, had been turned to his own diſadvantage, and made uſe of a Reaſon why the Place of *Solicitor-General* ſhould not be confer'd upon.

on him. This was a Preferment he had had in his Eye and his Hopes in the year 1595, through the Mediation of no leſs a Favourite than the *Earl* of *Eſſex*; But miſſing it then as well as after the King's Succeſſion to the Crown, he was reſerv'd for better Fortunes upon the application he made by ſeveral *Letters* in this Collection, about the beginning of the year 1607. And was ſworn into the Place on the Twenty fifth of *June*, upon the removal of Sir *John Dodderidge* to be the King's *Serjeant* at Law.

The next year gave the *State* ſome trouble, occaſion'd by the Rebellion in the Province of *Ulſter*, in the North part of *Ireland*, through the great Lenity of the King. Which being happily compos'd in the year 1609: His Majeſty, to the end that it might be put into a probable way of continuing quiet to Poſterity, cauſed the forfeited Eſtates, which amounted to a great Quantity of Acres to be ſold, and a new *Plantation* to be made; which was carried on with the greateſt vigor by the City of *London*, at or near the City of *Derry*, thenceforth called *London-Derry*. Our Author writing in one of the firſt of theſe Letters, that he always wiſhed well to this unpoliſhed Part of the Crown, doth with the 29th Letter preſent to his Majeſty a little Tract containing his Opinion, in what manner theſe new Eſtabliſhments ought to be made. And 'tis probable theſe *Plantations* in *Ireland*, and thoſe in the *Weſt-Indies* carried on in the beginning of this Reign, induced him to enter into further Conſiderations of this Subject, which are Publiſhed in his *Eſſays* under that Title.

About the ſame time I conceive Sir *Francis* ſent the 28th Letter to Sir *George Carew* the Leiger *Ambaſſador* at *Paris* together with a Treatiſe he had written in Latin *in Fælicem Memoriam Elizabethæ*, containing a ſhort account of the Felicities of Queen *Elizabeth*'s Life and Reign. This he did in oppoſition to a Book, Intituled, *Miſera Fœmina*, under which notion the Pope had conſider'd her in a *Bull* publiſh'd towards the end of her Life, while other Princes admired her Happineſs; and this Piece he deſires the Ambaſſador to Communicate to *Thuanus*, who was then compiling ſome Parts of his Celebrated *Hiſtory*: Who in his 120th Book, which comprehends the year 1603, and wherein he gives ſo

juſt and great an Encommium of the Queen, he takes notice of his compoſing the Relation thereof among others from this Manuſcript of *Francis Bacon.* yet the Author did not think he had done ſufficient Juſtice to her Memory, unleſs it were made publick at large; and therefore we are told that by one of his Wills he deſir'd it might be done. Tho' it was not performed till the year 1658, when Dr. *Rawley* Printed it among the *Opuſcula.* But the Doctor to make ſome Compenſation for this long Delay, rendred it alſo into *Engliſh,* and in imitation of the Author's Style, as may be ſeen in the *Reſuſcitatio, pag.* 181. and which has ſince been added to a late Edition of his *Eſſays.*

After theſe two Tracts, the one Political, the other Hiſtorical, comes to be conſider'd a third Fruit of the ſame Brain, which I conceive ripen'd towards the latter end of this year, and was of a nature Philoſophical. It bears the Title of *Cogitata & Viſa,* and was ſent in Manuſcript with the 30th and following Letters to the Learned Dr. *Andrews* Biſhop of *Ely,* Sir *Tho. Bodley*, and Mr. *Mathews,* whoſe Judgements the Author much reſpected. In this Ingenious Diſcourſe, which Sir *Francis* deſign'd to have ſuppreſſed from the Publick, it being his Intentions to write a juſt and perfect Volume of *Philoſophy*; He conſiders the ill ſtate and Errors of Learning, (as he had in his Book of *Advancement,* the Defects and Neglected Parts) together with the means and endeavours that were to be applied for its Reformation. A great part whereof was I think afterward diſpers'd in the *Novum Organum*; and the whole was Printed by *Iſaac Gruter* among the Authors other Philoſophical Works: Who alſo Tranſlated into *Latin,* a large Letter contain'd in the *Cabala,* wherein Sir *Thomas Bodley* made ſome Reflections upon the ſame; But whereas it is there dated the 19th of *Febr.* 1607. I conceive it is a miſtake, and miſprinted for 1609.

In the year 1610, he publiſhed his Book *de Sapientiâ Veterum,* of the *Wiſdom* of the *Ancients,* which he Dedicated to the Earl of *Salisbury,* and the Univerſity of *Cambridge,* and with a Letter of the 27th of *February,* communicates the ſame to Mr. *Mathew,* whom no diſtance of Place, or Difference in Religion could divide from his Friendſhip. The Au-

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thor writ this Originally in *Latin*, and therein he does Illuſtrate the meaning contain'd under ſome of the moſt noted *Fables* and *Parables* of Antiquity. In which Allegorical way, it was not onely familiar to the firſt Ages of the World to wrap up ſome of the Myſteries of their Religion, but to inſtill and inculcate Wiſdom. The Interpretation thereof having been attempted, as the Author obſerves, in a vulgar manner, and by Men onely Learned in *Common-Places*: He does therefore in the laſt Chapter of the Second Book of the *Advancement* of *Learning*, reckon the want of a nobler and better Conſtruction among the *Deſiderata* and *Deficients* in Learning; and therein ſelects three Examples out of this Book, in which may be ſeen how much *Natural*, *Political*, and *Moral* Wiſdom is contain'd under the *Fables* of *Pan*, *Perſeus* and *Dionyſus*. Sir *Arthur Gorges* rendred the whole into *Engliſh*, which is uſually added to the Author's *Eſſayes*; and it is to this Book the Great *Poet* as well as *Traveller* Mr. *George Sandys* doth in his Learned Notes on his Verſion of *Ovid*'s *Metamorphoſis*, acknowledge himſelf to be much indebted, ſtyling my Lord *St. Albans*, The Crown of all Modern Authors.

Sir *Francis Bacon* having ſerv'd the King as his *Solicitor-General*, from the year 1607, not without expectation from, and application to his Majeſty to be made his *Attorney* (as appears by ſome of the ſucceeding Letters) did upon the 27 of *Octob.* 1613, obtain that Place. His Predeceſſor Sir *Henry Hobart* was conſtituted *Chief Juſtice* of the Court of *Common-Pleas*, where he continued with much Reputation till the year 1625, in which he died upon the 28th of *December*, at his Houſe at *Blickling* in *Norfolk*; and had given him by Sir *George Croke* one of the Judges of the ſame Court, and at the ſame time, the Character of being a moſt Learned, Prudent, Grave and Religious Judge. But there needs no other Teſtimony of the ſtrength and clearneſs of his Reaſon, as well as knowledge in the Law, than the Monument he has erected to his own Fame in his *Arguments* and *Reports* of *Caſes* adjudged in the Court wherein he preſided.

Upon theſe Preferments there ſucceeded into the Place of *Solicitor-General*, Mr. *H. Yelverton*, as he had a little before unto

unto the Eſtate of his Father. There were many Candidates for this Office, but whether he obtain'd it by the means of the Vicount of *Rocheſter*, the King's then Favourite; and that afterwards in Gratitude to him he rather ventur'd to incur the Royal Diſpleaſure, than to appear againſt him, upon his Trial for the Death of Sir *Thomas Overbury*, is more than I can affirm. Onely thus much I have obſerv'd, that in the management thereof, and of the Trials of the other Criminals concern'd in that affair, the Attorney and other Councel of the King's had their Parts, whereas the *Solicitor* is never named. But however that be, it may be very well aſſerted, that few ever deſerv'd the Place better than himſelf, having been for about ten years in full Buſineſs and Reputation at the *Kings-Bench* Bar, proceeding from his great Abilities, which his *Reports* of the Caſes adjudged in thoſe Times, and digeſted with ſo great Perſpicuity and Brevity doth very much declare.

But the great Opinion the King ſometime had of him, his falling afterwards under his Majeſty's Frowns, and the Cenſure of the Parliament, having ſubjected his *Story* to the Notice of many Pens, by ſome imperfectly, and by others as untruly related; I ſhall from ſuch Informations as I have ſeen, and may be more depended upon, place it in a better Light. And deſire pardon if I am longer in my Diſcourſes of this Gentleman, than of others whoſe Names and Actions are alſo treated in the following Letters. Since thereby I deſign to do but Juſtice to the Memory of a very worthy Perſon, whoſe Affections and Friendſhip to ſome of my Anceſtors require no leſs a performance.

He deſcended both by Father and Mother from two ancient and gentile Families. That of his own Name had long flouriſhed in the County of *Norfolk*, and particularly as Sir *Henry Spelman* obſerves at *Rougham*, from the time of King *Richard* the Second. His Father Sir *Chriſtopher* being a younger Brother, applied himſelf to the Study of the *Common Law*, and thereof was made a *Serjeant*, *Speaker* of the *Houſe* of *Commons*, and one of the *Judges* of the *Kings-Bench* in the time of Queen *Elizabeth*. Marrying *Margaret* the Daughter of *Thomas Catesby* of *Ecton* and *Whiſton* in *Northamptonſhire*, he had by her his Eldeſt Son, Mr. *Henry Yelverton*, born

born the 29th of *June*, in the year 1566. Who after ſome Academical Education at *Oxford*, was removed unto *Greys-Inn*, to be under the more immediate care and example of his Father.

Soon after that he was made the King's *Solicitor*, his Majeſty confer'd upon him the Honour of Knighthood; and taking notice of his Abilities, took him into a more than ordinary degree of his Favour, ſo that he often requir'd his Preſence and Aſſiſtance at the *Council-Table*. Upon the calling a Parliament in the year 1614, it was reſolv'd by the King and Council, to have him recommended to be *Speaker* of the *Houſe* of *Commons*. But upon farther Conſideration, that his Services might be of more uſe out of the Chair, he was ſent to Mr. Serjeant *Crewe*, afterwards Chief Juſtice of the *Kings-Bench*, with an account of the King's Purpoſe, to have him placed therein; who was accordingly choſen by the *Commons*. And ſome Objection being made in that Aſſembly againſt the receiving of Sir *Francis Bacon*, as one that by his Place of *Attorney* was to attend the *Houſe of Peers*, upon a Speech made by the *Solicitor*, the *Houſe* was ſatisfied, and the *Attorney* admitted. But this *Parliament* being diſſolved in a Heat, there was little done that *Seſſions*, but a great deal after it, tending to a breach of Priviledge of the *Commons* by Impriſoning ſome of the moſt active Members.

Upon the 12th of *March* 161$\frac{6}{7}$, Sir *Henry Yelverton* was made *Attorney-General*, ſo that if his Majeſty was diſpleas'd for his refuſing to appear againſt the Earl of *Somerſet* at his Trial, which was but in the *May* before, his anger was not of a long continuance, nor had it any ill effect. But that the King afterwards reſented ſome carriage of the *Attorney*, (but chiefly, as I conceive, through miſinformation) I have reaſon to believe from a Letter of his, I remember to have ſeen, dated the beginning of *October* 1617, and written to his Majeſty then lately return'd from *Scotland*, and whom he had waited upon at *Coventry*, the Second of *September* before. 'He therein complains of his unhappineſs to fall under 'his Majeſty's *Diſpleaſure*, who had made him almoſt the wonder of his *Favour*, that he conceiv'd it to ariſe from ſome 'accident befell in the late buſineſs of the Marriage of Sir 'John Villiers; as alſo from a Report, as if he had utter'd 'ſome

'ſome Speeches to the diſhonour of the Earl of *Buckingham.* In both which Caſes he ſo far Vindicates his Innocence, that he ſoon recover'd the Kings good Graces, tho' he was for ſome Years looked upon with an evil Eye, by that powerful Lord, for oppoſing according to the Duty of his Place ſome Oppreſſive, if not Illegal *Patents*, the Projectors of thoſe Times were buſie in preparing: and nothing being left unattempted to remove him (tho' he had been long ſupported by the King) it is no wonder that ſo great a Favourite at laſt effected his deſires.

For in the Year 1620, Mr. *Attorney* being queſtioned for paſſing certain Clauſes in a *Charter*, lately granted to the City of *London*, not agreeable to his Majeſty's *Warrant*, and derogatory to his Honour and Profit: It was refer'd to my Lord *Chancellor* and ſome others, to conſider of the offence, *&c.* Whereupon his Lordſhip, and Secretary *Calvert* deliverd him a Meſſage from the King, whereby he was offer'd to ſubmit himſelf in private, or defend himſelf openly: Being it ſeems, adviſed to comply with the firſt Propoſition, he anſwer'd, the Offer was gracious, the Choice eaſie, and Mercy free: But this Submiſſion Signed by his Hand, not being thought by the Committee of Council Satisfactory enough, but that the ſame ought to be upon *Record*, as well as the Surrender of the City-Charter, as appears by their Letter in this *Collection*, dated the 16 of *June* 1620. An *Information* was preſer'd againſt the *Attorney*, the *Mayor*, &c. of the *City* in the *Star-Chamber*; who taking this Proſecution for a Trial, whether he would rely on the King, altho' he ſaith, there was offer'd unto him and his Councel, ſuch a way of Defence, by which he might have eſcaped; yet he rather choſe to confeſs the Points of the Charge, and ſubmit himſelf in his Anſwer to the King's Mercy. After which he received a Commandment not to ſpeak, or write to His Majeſty: So far, a Gentleman of his own retinue Writes, his Potent Enemies had prevailed againſt him.

Upon the 27th. of *October* following, this Cauſe was brought to a Hearing, before a very great Preſence and Audience. And the *Information* being opened by Serjeant *Creuve*, and the Attorneys *Anſwer* by Mr. *John Finch*; he

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himſelf deſired, and obtained liberty to ſpeak. Wherein he ſaid he came to ſecond his Submiſſion drawn by the Pen of others; and alledged, that the Errors he was guilty of, proceeded from Ignorance, Miſpriſon, and chiefly Credulity, and not from any Corruption: Which tho' at firſt might be ſuſpected, was not now the leaſt laid to his Charge, and concluded his Speech, which is Printed in the *Cabala*, Pag. 375. with a Requeſt to their Lordſhips; that ſince the *Charter* was now given up, His Majeſty might be acquainted with his Submiſſion, before they went on with the Cauſe, himſelf remaining ſtill a Priſoner to his Juſtice. Sir *Edward Coke* in the firſt place oppoſed the motion, as did the *Chief Juſtice*, and ſome others: But the Duke of *Lenox*, who had been always favourable to the Attorney, and the Earl of *Pembroke*, who openly promiſed to move the King on his behalf, carried it againſt them, by the conſent of the reſt of the Court, to the great Satisfaction of the Aſſembly.

Notwithſtanding, the Cauſe was remitted by his Majeſty upon the 8th. of *November*. When the King's *Solicitor* and *Council* Learned, inſiſted upon the ſeveral Parts of the Information; and that, tho' there was no Corruption of Reward laid to his Charge, yet that there was a Corruption in Affection, not to be allowed in a Man of ſo eminent a Place, and Knowledge as he was. But one of the Defendants chief Council being taken ſuddenly ill, the *Court* was Adjorn'd till the Friday following, being the 10th. of *November*; at which time his Council anſwered ſo effectually to the Inconveniencies, urged to have ariſen from ſeveral Clauſes in the Charter, that the chief Reaſon which induced the Court to cenſure him, proceeded from his Digreſſion from the King's *Warrant*, which they looked upon as a Breach of Truſt in ſo Principal a Miniſterial Officer as he was, not to be excuſed by Error, Ignorance, or Credulity. Sir *Edward Coke*, whoſe place it was to begin, concluded his long and bitter Speech, with a Fine of 6000 *l.* and loſs of his Place, which the reſt of the Court moderated to 4000 *l.* diſcharging him of his Place by way of Opinion, but ſubmitting the ſame to the King, during whoſe pleaſure, they alſo ſentenc'd him to Impriſonment in the *Tower*.

Yet Sir *Henry Yelverton*, who was Sequeſtred from the Execution of his Office, upon the 27th of *June*, was not wholly deprived thereof, till the *January* following; when Sir *Thomas Coventry* the Kings *Solicitor*, was made his *Attorney* General; from whence he was advanced to be Lord-*Keeper* of the Great *Seal*, in the firſt year of King *Charles*, and enjoy'd the ſame full Fifteen years, with a general Satisfaction, being an Ingenious, Wiſe, and Learned Man in his Profeſſion. Purſuant to the aforeſaid Sentence, Sir *Henry* was committed to the *Tower*, and while he lay there, he was by ſome of the Zealous Townſmen of *Northampton*, choſen one of their *Burgeſſes*, to repreſent them in the enſuing *Parliament*.

But inſtead of appearing in the *Houſe of Commons* as a Member, he was in the *April* following, accuſed by them to the *Lords* as a Deliquent; being ſuppoſed to be guilty of ſome unjuſtifiable Actions, relating to the *Patents* of *Innes* and *Oſterys*, and of *Gold* and *Silver* Thread, as alſo for Signing ſome Dormant *Warrants*, without ſufficient Authority. By Virtue of theſe Patents, Sir *Giles Montpeſſon*, and Sir *Francis Michel*, the chief Projectors of them, at leaſt of the firſt, had exacted ſeveral Sums of Money from the Subject, or Impriſon'd, or Proſecuted them for refuſal: So that in the ſucceeding Parliament, they were complain'd of as a very great Grievance, and the *Patents* called in, as in the proceſs of theſe Letters may apppear.

It is obſerved by *Ruſhworth*, that this Accuſation rendred Sir *Henry* the leſs Offender, and that thereby he had opportunity of ſpeaking, that at the Bar which he durſt not ſay in the *Tower*: declaring that he thought himſelf happy to be ſent to that Honourable Houſe: yet that ſince Wiſdom required time, tho' Innocence hath her preſent' anſwer, he deſired ſome time for Conſideration. But added withal, that the chief complaint againſt him, was concerning the *Patent* of *Gold*, &c. and that of *Innes* and *Oſterys*; of which laſt, if he deſerv'd well of his Majeſty, it was in that Matter, and that the King and the Subject were more abuſed by that Patent, than by any other; for the oppoſing of which, he conceiv'd he ſuffer'd at that day. The *King* being informed of this Paſſage, came to the *Parliament*, and

juſti-

juſtified his *Attorneys* moderate Behaviour, and Oppoſition to the Proſecution of the Inne-keepers, and that he himſelf diſliked thoſe Proceedings againſt his Subjects: But ſince *Yelverton* had taxed His Majeſty, that he ſuffer'd at that day for his good ſervice therein, he required their Lordſhips to do him Juſtice, and puniſh the Slander.

Sir *Henry Yelverton* coming ſhortly after before the Lords, gave in a particular Anſwer to every Article of the Charge, which he concluded with a Speech, Printed in the firſt Volume of *Ruſhworths* Hiſtorical *Collections*, Pag. 32. repreſenting his misfortune to lie under the diſpleaſure of ſo great a Favorite as *Buckingham*; from whom Sir *Giles Mompeſſon* brought him a Meſſage, that he ſhould not hold his Place a Month, if he did not conform himſelf better to the Patent of *Innes*; for my *Lord* had obtain'd it by his *Favour*, and would maintain it by his *Power*. And then Sums up all in theſe Words.

'Soon after, I found the *Meſſage* in part made good; 'for all the Profits almoſt of my Place were diverted from 'me, and turned into an unuſual Channel, to one of my 'Lords Worthies, that I retained little more than the name 'of *Attorney*. It became ſo fatal and ſo penal, that it be-'came almoſt the loſs of a Suit to come to me. My Place 'was but the Seat of *Winds* and *Tempeſts*.

'Howbeit, I dare ſay, If my Lord of *Buckingham* had 'but read the Articles exhibited in this place againſt *Hugh* '*Spencer*, and had known the danger of placing, and diſ-'placing Officers about a King, he would not have pur-'ſued me with ſuch bitterneſs. But by oppoſing my Lord 'in this Patent of *Innes*, in the Patent of *Ale-houſes*, &c. 'theſe have been my overthrow, and for theſe I ſuffer at 'this day in my *Eſtate* and *Fortune*, (not meaning to ſay, 'I take it, but as I know, and for my humble Oppoſiti-'ons to his Lordſhip) above *Twenty Thouſand* Pounds.

The King hearing of this Speech, acquainted the *Lords* that he intended to do himſelf Juſtice, and repair the diſhonour it reflected upon him, which they beſought His Majeſty to leave to them: Who without taking any notice of the Charge, exhibited by the *Commons*, did upon the 16th of *May* 1621, proceed to *Sentence*, and *declared*, that

the ſaid Sir *Henry Yelverton*, for his Speeches utter'd here in *Court*, which do touch the King's Majeſties Honour, ſhall be Fined to the King in *Ten thouſand* Marks, be Impriſon'd during Pleaſure, and make Submiſſion to the King: And for thoſe which touch'd the Marquis of *Buckingham*, he ſhould be Fined 5000 Marks, *&c.* Upon which his Lordſhip ſtood up, and did freely remit him his, and the *Prince*, and the *Houſe* of *Peers*, agreed to move his Majeſty to mitigate the other.

What part of theſe *Fines* to the King were forgiven, I know not, but I conjecture he was ſoon after diſcharg'd his Impriſonment, and became again a Practiſer at the Bar: Till upon the firſt of *May* 1625, a Gentleman from the Duke of *Buckingham*, who ſometime before, was pleas'd to be reconciled to him, did without his knowledge, bring him a Warrant from the King, ſignifying his pleaſure to make him a *Judge* of the Court of *Common-Pleas*. In Order whereunto he was made a *Serjeant*, on the 10th of the ſame Month, Inſcribing upon his Rings, this Motto, *Stat Lege Corona*. In this place he remained till his Death; tho' if the Reports taken notice of by Biſhop *Hacket*, in the Life of Dr. *Williams*, Arch-Biſhop of *York*, and ſome other Writers be true, he had been made Lord *Keeper* of the Great *Seal*, if the Duke of *Buckingham* had not been cut off. The Writer of a Pamphlet, called the *Court* and *Character* of King *James*, which delivers all things at random; ſays, this Favour of the Dukes was prevented by the Judges Death, altho' he ſurvived the Duke above a year and half: But I ſuſpect the truth of the Relation in general, not remembring to have ſeen any thing of it, in ſome private Letters of thoſe Times, and Written by himſelf and Friends. Nor was it very probable, That a Perſon of his Moderation and Integrity, who lamented ſome Irregularities of thoſe Times, ſhould be far advanced in them.

Beginning to be ſenſible of the Infirmities of Age, he concluded a Letter, Written on the 17th of *January* $16\frac{29}{30}$, to a Perſon he much loved. And I pray help me now with *David*'s Prayer, that God will not forſake me in mine Old Age, but that the weaker I grow, the ſtronger I may be

be in him. And Sickening thereupon, he died at his Houſe in *Alderſgate-ſtreet*, upon the 24th. of the ſame Month; and from thence his Body was carried into *Northamptonſhire*, and Buried in his Pariſh Church of *Eaſton Mauduit*; in the *North* Iſle whereof his Son Erected a Monument, with two Effigies, repreſenting him and his Lady at full Length, and with an Inſcription declaring his Virtues. But I ſhall onely take notice of two Characters, which cannot be ſuſpected of the leaſt Partiality: The firſt given by one of his own Profeſſion, and of his own Times, and which I preſume did expreſs the ſenſe of them, and is found in two Books of the *Law*, viz. in *Hetleys* Reports, and the other which bears the Name of the Lord *Keeper*, *Littletons* Reports, tho' I conceive it was never Compoſed by him.

'*Memorandum*, That upon *Sunday* Morning, being the '24th. of *January* $16\frac{29}{30}$, died Sir *Henry Yelverton* Puiſne '*Judge* of the *Common-Pleas*, who before had been *Attorney* 'General to King *James*, and afterwards incurring his diſ-'pleaſure, was diſplaced and cenſured in the *Star-Chamber*. 'He then became a Practiſer again at the Bar, from which 'he was advanced by King *Charles* to be a Judge. He was 'a Man of profound Knowledge in the Common Laws, 'and Ingenious and Eloquent in Expreſſion; and for his 'Life of great Integrity and Piety, and his Death univer-'ſally bewailed.

The other is part of a ſhort *Preface* to his Reports, Publiſhed by Serjeant *Wilde*, a little after the Reſtauration of King *Charles* the II.

'To the Reſtitution of the *Laws* (which this Age hath 'moſt happily attain'd) we Conſecrate theſe Monumental '*Remains* of Sir *Henry Yelverton*; a Perſon of ſo compleat a 'Judgment, and renowned Abilities in this moſt Honoura-'ble Science, advantaged by the Times, wherein he both 'practis'd and Judged, which were Learned, and ennobled 'by many eminent Sages of the Law his Contemporaries; 'that we ſhall not need to direct your Acceptance of theſe 'his Judicious *Collections*, which his own exquiſite Pen hath 'commended to the World, *&c.*

I hope the miſtakes of ſome Authors, relating to this Gentleman, and the Falſities contain'd in the *Court* and *Character* of King *James*, will, from what I have ſaid, appear ſo viſible to any one that ſhall have the Inclination to peruſe ſo looſe a Writer, that I need not trouble the Reader with a more particular Confutation.

By *Margaret*, the Daughter of *Robert Beale*, Eſq; Clerk of the *Council* to Queen *Elizabeth*, and *Edith* St. *Barbe*, Siſter to the Lady *Walſingham*; he had among other Children, his Son and Heir *Chriſtopher*, Knighted in 1623, and made a Baronet in 1641: Who by *Anne* the youngeſt Daughter of Sir *William Twyſden* of *Eaſt-Peckham* in *Kent*, Knight and Baronet, left Sir *Henry Yelverton*, his onely Son: Who receiving his Academical Education, under the care of Dr. *Wilkins*, the eminent Warden of *Wadham* Colledge in *Oxford*, did, towards the end of the late Times of Confuſion, receive into the care of himſelf and Family, Dr. *Moreton*, Biſhop of *Durham*; ſeeing that his extreme Age, and great Labours for the Proteſtant Religion, and the Church of *England*, could not protect him from the Troubles, the reſt of his Order underwent. But Sir *Henry* having ſhewn himſelf to be a Gentleman of great Worth, and as great Learning as moſt of that rank in the Nation, was taken off in *October* 1670, in the prime of his Years; yet continues ſtill to live in the Perſon of his Son, who in the Right of his Mother, the Daughter and Heir of *Charles Longueville*, Lord *Grey* of *Ruthyn*, became intituled to that Honour, and by the Favour of his preſent Majeſty, *Viſcount de Longueville*.

Having now done with this large Digreſſion, I ſhall for the future confine my ſelf cloſer, to the ſubject matter of theſe *Letters*. Thoſe which were written in *January* and *February* 1615, relate much to the Treaſons, of which one *Peacham* and *Owen* were accuſed. *Peachams* Crime was for inſerting ſeveral Treaſonable Paſſages in a Sermon, never Preach'd, nor as Mr. *Juſtice Croke* ſaith, ever intended to be Preached, but onely ſet down in Writings, and found in his Study. His Majeſty deſiring to know the Opinions of ſome of the Judges, before he was judicially proceeded againſt, the chief Juſtice *Coke* was not prevailed upon to give

give his, without much difficulty, (as will appear therein) as a thing unuſual, and which he fear'd might be of ill conſequence. But tho' *Peacham* was Indicted and found guilty, yet he was not Executed. Judge *Croke* obſerving in his *Reports* of the Time of King *Charles*, Pag. 125. that many of the Judges were of Opinion, that it was not *High-Treaſon*. How much harder Fate, a Gentleman of Quality and Learning ſuffer'd, not many years ſince, in a caſe not unlike, I need not remember, the Legiſlature of the Nation having done it by reverſing the Judgment.

The other Caſe was that of *Owen*, of *Godſtowe* in *Oxfordſhire*, who returning out of *Spain*, did not onely affirm, but inforce with Reaſons, a Doctrine, which 'tis probable *Suarez*, and ſome other Jeſuits had diſſeminated in that Country, *That if the King were excommunicated and deprived by the Pope, it was lawful for any Perſon to kill him.* This being a Poſition in direct Terms, contrary to the late *Oath* of *Allegance*, and of dangerous conſequence, if believed and propagated; it was thought neceſſary that he ſhould be made an Example. And accordingly in *Eaſter-Term* 1615, he was Proſecuted and Convicted in the *King's-Bench*: My Lord *Coke* and the other Judges of that Court declaring, That it was *High Treaſon*, within the Statute of the 25th. Year of *Edward* the III. great part of the Charge Sir *Francis Bacon* delivered againſt him at his Trial, is extant in the *Reſuſcitatio*, pag. 67.

From the Court of *Kings-Bench*, the ſame Letters lead me to the Court of *Star-Chamber*. For a Parliament having been convened in the year 1614. and the King's Expectation of Supplies defeated by the Heats of ſome of the Lower-Houſe, which haſtened a Diſſolution; Several of the Nobility and Clergy about *London*, made at leaſt, a ſeeming, voluntary *Preſent* to the King, which the *Council* taking notice of, and being willing to encourage ſuch an Example, and make it more diffuſive; they writ Letters to the *Sheriffs*, and *Juſtices* of *Peace* of the Counties, and *Magiſtrates* of ſeveral Corporations, informing them what had been done above, and how acceptable and ſeaſonable the Bounty of his Subjects would be to the King and his Occaſions: But without any Clauſes of Compulſion, or requiring

ing or returning of the Names of ſuch as ſhould refuſe. Among others, one was directed to the *Mayor* of *Marlborough* in *Wiltſhire*, where Mr. *Oliver St. John*, a Gentleman of an ancient Family was then reſiding: Who being conſulted thereupon, he wrote a Letter to the *Mayor*, upon the 11th. of *October* 1614. (which is Printed in the *Cabala*, pag. 333.) repreſenting to him, that this *Benevolence* was againſt the Laws, Reaſon, and Religion: Inſinuating, That the King by promoting the ſame had violated his Coronation *Oath*; and that by ſuch means as theſe King *Richard* the II. had given an opportunity to *Henry* IV. to deprive him of his Crown; deſiring, if he thought fit, to communicate his Sentiments to the *Juſtices*, who were to meet about the Benevolence. For this action, Mr. *St. John* was Proſecuted in the *Star-Chamber*, and upon the 15th of *April* 1615, the Cauſe was brought to a Hearing, as appears by Sir *Francis Bacon*'s Letter of that date. In this Court, which was Compos'd of a great many Lords of the *Council*, the *chief Juſtices* and *chief Baron*; ſome of them thought, that this Offence was of a higher Nature than a Contempt: But they all agreed, That this *Benevolence*, as it was circumſtanced, was not reſtrain'd by any of the Acts of *Parliament*, which Prohibits that ſort of Taxation, and that the Defendant ſhould be Fined 5000 *l.* Impriſon'd during the King's Pleaſure, and make Submiſſion in Writing, which he accordingly did.

In the ſucceeding *Reign*, this Matter was carried on with a much higher Hand. For upon *Commiſſions* which were given out, to raiſe Money by a *Loane*, according to the Valuations of Eſtates: Several Gentlemen of Quality were Impriſon'd for refuſing to Subſcribe thereunto, and among others Sir *Thomas Wentworth*, afterwards the eminent Earl of *Strafford*. And the whole Proceeding was ſo ill reſented by the *Commons*, and as it were denounced againſt by Sir *Edward Coke*, that it was condemned and declared illegal in the *Petition* of *Right*, preſented to King *Charles*, and Eſtabliſhed by Act of *Parliament*, in the Third Year of his Reign.

But

But the entrance of the year 1615, was moſt remarkable for the Declenſion of the Earl of *Somerſet's* Favours and Fortunes, and the appearance of a New-Star in *Court*, that was ſoon after diſplay'd with a much greater Luſtre. I ſhall not pretend to determine whether it was deſign or chance, that firſt placed Mr. *George Villiers* in the Eye and Obſervation of the King; but it's very evident that he ſoon became, and long continued an agreeable Object. He was the ſecond Son of Sir *George Villiers* of *Brokesby*, in the County of *Leiceſter*, by *Mary* his ſecond Wife, Daughter of *Anthony Beaumont* of *Cole Orton*, Eſq; both Names of *Norman* Extraction, and of great Antiquity in the ſaid County; ſo that one would have thought, that his greateſt Enemies would have allow'd him a gentile Deſcent from both his Parents. With what ſwiftneſs he roſe in the King's Affections, it will be eaſie diſcover'd by obſerving the Times, in which *Honours* and *Offices* were confer'd upon him: But I ſhall onely touch upon the moſt conſiderable. Upon the 24th. of *April* this year, he was Knighted, and made one of the Gentlemen of the *Bed-Chamber*, and Maſter of the *Horſe* in *January* following; and again upon the ſame day of *April*, in the next year, Elected into the Society of Knights of the *Garter*, created Baron *Blechely*, and Viſcount *Villiers*, in the ſucceeding *Auguſt*; which Title was ſoon conceal'd by that of *Earl*, given in *January* $161\frac{6}{7}$, of *Marquis*, a year after, and laſtly of Duke of *Buckingham* in 1623; having ſome years before been conſtituted Lord *Chief Juſtice* in *Eyre* of all the *Foreſts*, and Lord High *Admiral* of *England*.

It will not be eaſie to give any juſt Character of this Noble Perſon, to whom very many of the following *Letters* are addreſſed, which ſhall not even at this Diſtance of Time be lyable to much Exception. For they, who ſhall conſider him as a young Gentleman of the moſt exquiſite Compoſition of Body, of a Beautiful yet Manly Countenance, of a Nature Noble and Munificent, Faithful to his Friends, Indulgent and Bountiful to his Servants and Followers; who ſhall conſider him not onely in the Favour of two Succeſſive *Kings*, but of the *Parliament* alſo after his Return from *Spain*; when he receiv'd the Thanks of the Houſe of Com-

mons, for breaking off a Treaty of Marriage, ſo long carried on in Deluſion of the King, and Diſcontent to the People; will have Idea's of him far differing from thoſe who ſhall only behold him Painted out in the Colours of the 2d Parliament of K. *Charles*. By which he is repreſented as Guilty of accumulating many *Honours* and *Places* of Truſt and Profit, ſome of them improper for a Perſon of ſo young an Age; others inconvenient in one Hand, if not incompatible; of diverting ſo great a proportion both of Lands and Money of the Crown, from the publick Service, to his, or his Friends private advantage; and of many other offences particularly ſet forth in their *Impeachment*. And laſtly of miſcarrying afterwards in the Relief of *Rochelle*, by ſome attributed to his want of Conduct, or to worſe Principles; whereby ſo great a Blow was given to the Intereſt of the *Reformed Religion* in *France*. All which raiſed ſo Popular an Odium upon him, that tho' he better eſcaped the Zeal of two Parliaments by their ſudden Diſſolutions, than probably he would have done by his Trial and Anſwers, how effectual ſoever they might be thought; yet he ſeems to have fallen upon the 23d of *Auguſt* 1628, as a Victim to the Rage of the People, tho' a ſingle and a diſcontented Hand gave the ſtroke that put a Period to his Life, when he had juſt compleated the 36th year of his Age.

Having thus briefly run over the Cauſes of the Fall of this Great *Favourite*, I am by the Courſe of many of the following *Letters* written in the latter end of the Year 1615, and the beginning of the next, obliged to look into the chief, if not onely cauſe of the Fate and Ruine of his *Predeceſſor*. They relate very much the Cautions that were to be obſerv'd, and the meaſures that were to be taken before the Earl of *Somerſet*, and his *Lady*, were to be brought to their Trials for the Impoyſoning of Sir *Thomas Overbury*. This is a Story well known in the general, yet perhaps I may not diſpleaſe the Reader, to lay before his view a particular account of this Tragedy.

For which purpoſe it will be neceſſary to look back a few years, wherein we ſhall find Sir *Robert Carre* a young Gentleman of *Scotland* ſtanding in great Favour with the King, Created Viſcount *Rocheſter*, and not long after Earl

of

of *Somerſet*. But if the King diſcharg'd his Secrets and Cares into the Boſom of this Lord, his Lordſhip repos'd himſelf to a great degree in the Advice and Friendſhip of Sir *Thomas Overbury*. He was Son to Sir *Nicholas Overbury* of *Bourton* upon the *Hill* in *Glouceſterſhire*; Educated at *Queens-College* in *Oxford*, and in the *Middle-Temple* in *London*; of which Society his Father was one of the Governours. After ſome time ſpent beyond the Seas, he was at his return look'd upon as endued with Excellent Parts, both natural and acquired, and with Wiſdom and Knowledge above his years. The Lord *Rocheſter* imbraced him with ſo entire a Friendſhip, that exerciſing (by his Majeſty's ſpecial Favour) the Office of *Secretary* Proviſionally, he not onely communicated to Sir *Thomas* the Secrets, but many times committed to him the *Packets* and Letters unopen'd before they had been peruſed by the King or himſelf, which as it prevail'd too much upon his early years, ſo as to make him in the opinion of ſome thought haughty and ambitious; yet he was ſo far from violating his Truſt and Confidence, that he remains now an Example, among others, that have ſuffer'd in their Perſons, or their Fortunes, for a Freedom of Advice, which none but ſincere Friends will give, and many are ſuch ill Friends to themſelves, as not to receive. The occaſion whereof was this:

My Lord of *Eſſex* having been Married very young unto the Lady *Frances Howard* Daughter of the Earl of *Suffolk*, was ſent abroad for ſome years; and returning about the time he came of full Age, to enjoy his Plentiful Eſtate, and beautiful Wife; he found notwithſtanding all his kindneſs to her, her Affections alienated from him, and placed in ſo high a degree upon the Perſon of the Lord *Rocheſter*, that ſhe uſed all the arts her ſelf, or wicked aſſiſtants could invent, to render *Eſſex* as cool and impotent towards her, as ſhe was indifferent to him. It was no difficulty for her to obtain the love of the other young Lord, but how to remove a Husband ſhe hated, and obtain for a Husband the Man ſhe loved, required the skill and conduct of her Uncle the Old Earl of *Northampton*, a Man of Great Learning, and ſince the King's Acceſſion to the Crown in great Favour: which was effected in this manner.

Complaint being made on the behalf of the Counteſs, that tho ſhe had been long married, ſhe had not enjoy'd the Comforts of the Conjugal Bed. The Archbiſhop of *Canterbury* with ſome other *Biſhops* and *Civil Lawyers*, were Delegated to examine into the validity of her Proofs and Allegation. The Earl whether or no wearied with his Wife, or really become by their Contrivances, *Imbecillus quoad Hanc*, did not much conteſt the Matter, ſo that by the Majority of the Commiſſioners the *Marriage* was declared *Null*, and the Parties at liberty to Marry again. But the *Archbiſhop* and ſome others diſſenting, this Affair did not paſs over without the Cenſure of the Times. Herein Sir *Thomas Overbury*, who is ſaid to have been averſe to the Houſe of the *Howards*, acted the Part of a true Friend with greater Freedom than ſecurity to himſelf; Dehorting the Lord *Rocheſter* from Marrying this *Lady*, with many Reaſons; ſome of them reflecting upon her, all of them tending to fruſtrate her Deſigns: It turned her Rage and Anger into Fury, not to be ſatiated but with his Death. Tho' the procuring thereof, coſt her ſelf and Friends much trouble in the end, and left an ill ſtain upon the memory of the Earl of *Northampton*.

Many ways were propoſed for the removing of *Overbury* which were not approved: That agreed to, was the Kings naming him for Ambaſſador into *Ruſſia*, which whilſt he was preparing to undertake, the Lord *Rocheſter* does diſſwade him from accepting, and at the ſame time repreſents to the King his Refuſal as ſo great a Contempt, that he was committed to the *Tower* upon the 21. of *April* 1613. The *Lieutenant* being thereupon remov'd, and Sir *Gervaſe Elwayes* put into his Place, who together with *Weſton* a new Under-Keeper were likely to be more ſubſervient to their Ends. The Poor Gentleman who ought to have been ſafe under the Cuſtody of the Law, is kept, as Sir *Francis Bacon* obſerves, in a Priſon, open to his *Enemies*, and cloſed to his *Friends*, being denied the Comfort of his Father, and near Relations, or the uſe of a Servant, who deſired to perform his Duty at the loſs of his own Liberty. He was not under this Conſtraint above two Days, when *Weſton*, by direction, gives him Poyſon in his Broth, which he repeats from time

to

to time in his Tarts and other Meats; ſo that his *Table is made a ſnare unto him.* But he being young and of a healthy Conſtitution by the frequent uſe of Poyſon, began to reſiſt the force of Poyſon; ſo that *Weſton*, who had been an Apothecaries Man, being upbraided for not doing his Work, ſaid, he had given him enough to have killed twenty Men. At length after he had been deluded with ſome Hopes of Deliverance, but really purſued and chaced near to Death, a Gliſter compounded of rank Poyſons, adminiſtred under pretence of eaſe, put an end with much Torment to his miſerable Life, upon the next day, being the 15th of *September* 1613.

In this manner fell Sir *Thomas Overbury*, worthy of a longer Life, and of a better Fate. And, if I may compare Private Men with Princes, like *Germanicus Cæſar*; both by Poyſon procured by the malice of a Woman, and about the 33d years of their age. Both celebrated for their Skill and Judgment in Poetry, their Learning and Wiſdom. But all appear'd with a greater Luſtre in *Germanicus*, from the height of his Birth and Valour, and Felicity in War, and that ſingular ſweetneſs of Diſpoſition, which drew upon him the Love of the *Roman* Empire, and even of their Enemies. The other a Gentleman of an Ancient Family, has had ſome Blemiſh charged upon his Character, through the too great ambition, if not inſolence of his Temper.

Among other of his Compoſitions which are in Proſe, he writ a little *Poem* concerning the Choice of a *Wife*, which I ſuppoſe was chiefly deſigned for the ſervice of his Lord. It was Printed in his Life-time, and ſeveral times after his Death, with many Commendatory Verſes, upon the Author and the Book, of which number was *Ben. Johnſon*; which with the manner of his Death, gave occaſion to one of his Friends, to write the following Lines, which I have ſeen under his Picture.

A Man's beſt Fortune, or his worſt's, a Wife.
Yet I, who knew nor Marriage Joys, nor Strife,
Live by a Good, by a Bad one loſt my Life.

But

But tho' this work of Darkneſs lay conceal'd for ſome time, through the management of the Parties concern'd, and the Verdict of the *Coroner's* Jury, finding that Sir *Thomas* died a Natural Death; yet the *Murmur*, if not *voice* of the *People*, by whom he was generally beloved living, and lamented dead, did ſtill preſerve the ſuſpicions that he came to a Baſe and untimely end. Which was fully proved about two years after his Death, and almoſt as much as *Rocheſter* now made Earl of *Somerſet*, was Married to the *Lady*; which Ceremony was celebrated at Court with all imaginable Joy and Splendor, upon the Sixth of *December* in the ſame year.

The means of the Diſcovery of this Murder being reported various, I ſhall mention but one, as ſuppoſing it the true one, being inſiſted on by Sir *Francis Bacon*, at the Trial of the Lady *Somerſet*, and related in the Hiſtory written by the Earl's Country-man Archbiſhop *Spotſwood*. The Earl of *Shrewsbury*, recommending Sir *Gervas Elways* as a Gentleman of Quality and good ſenſe to the acquaintance of a certain Nobleman, was told by him that nothing detracted ſo much from his Reputation as the ſuſpicion of his being concern'd in the Death of his Priſoner, and wiſhed he could clear himſelf. Upon notice thereof, Sir *Gervaſe* to get the ſtart of any other Information, acquainted them both, that indeed he had caſually diſcover'd *Weſton's* Intentions to Poyſon Sir *Thomas*, but that he had made him ſo ſenſible of his Crime, as that falling upon his Knees, he ſeriouſly profeſſed that he would never attempt it more. And that *Weſton* being ſet on by Perſons in great Favour at Court, he could not, without great danger to himſelf, reveal the Deſign. This he alſo urged at his *Trial*, as if he was onely Guilty of a Miſpriſion. But all Circumſtances being weighed, which evinced he went farther than a bare knowledge, and at laſt a Paper produced under his own Hand, ſo confounded him, that it quickly put an end to his Defence. So that at his Death, which he reſolutely and piouſly ſuffer'd, he frankly acknowledg'd his Crime.

When

When this matter began to take air, the Earl of *Somerſet* applied himſelf to Sir *Robert Cotton*; a Gentleman, whoſe Name muſt always be Sacred, for his Great Learning, and greater care and charge in collecting that incomparable Treaſure contain'd in his *Library*; as his worthy Grandſon Sir *John* receives the applauſe of the preſent age for his ſo generouſly perpetuating the ſame by a late Act of *Parliament*. Sir *Robert* could not refuſe to give a Friend his beſt advice upon ſuch an unhappy Occaſion, which was to ſecure all by a large Pardon, according to ſome Preſidents he then produced. For theſe conſultations, as we are informed in his *Life*, prefix'd the Catalogue of his Manuſcript; and for ſome other things appearing in theſe *Letters*, he was committed to the Cuſtody of an Alderman of *London*, and often Examin'd, but diſcharg'd without the leaſt Imputation of being concern'd in *Somerſet*'s Guilt.

The *King* on the other Hand, with a zeal becoming him as the Head and Fountain of Juſtice, commanded the Chief Juſtice *Coke* to ſearch the Buſineſs to the bottom; which he performed, declaring that he had taken three hundred Examinations therein, but finding Great Perſons concern'd, he procured others of Great Quality to be joined in *Commiſſion* with him. And upon the 19th of *October*, *Weſton* the Principal was brought to his Trial; but, according to Inſtructions, as was ſuppos'd, he refus'd to plead to the *Indictment*. The Judges who threatned him with the ſeverity the Law inflicts upon thoſe who will not ſubmit to the Law, yet thought it beſt to defer any further Proceedings for a few Days. In which time, by the means of ſome Eminent Divines he was brought to a better Temper, and confeſſing the Fact, was Executed ſhortly after at *Tyburn*.

The Earl of *Somerſet*, whom it concern'd to have this Confeſſion invalidated, was not fallen ſo low, but that he had ſome Gentlemen of Quality, the one by a *Book*, the others by *Queſtions* propoſed to *Weſton* at his Death, ſought to make him recede from what he had declared. For which offence they were upon the Tenth of *November* Proſecuted in the *Star-Chamber*, and the Particulars thereof repreſented by Sir *Francis Bacon* in his Speech Printed in the *Reſuſcitatio*, *pag.* 72. Soon after Mrs. *Turner* the Procurer, *Franklyn* the Pre-

Preparer, and Sir *Gervas Elways* the Approver of this Impoyſonment, ſuffer'd the ſame Fate with *Weſton*. And about the ſame time this Lord was committed to the *Tower*, and his Lady, being Great with Child, to private Cuſtody; for which reaſon, and ſome other intervening Occaſions, they were not tried till *May* 1616. On the 24th of which Month the Lady *Somerſet* was brought before the Lord *Chancellor*, being then Lord *High Steward*, and ſeveral other Peers appointed to paſs upon her; and being Indicted as Acceſſary before the Fact, ſhe with many Tears confeſſed her Guilt. And being further asked what ſhe had to ſay why Judgement of Death ſhould not be pronounced? She replied, *That ſhe had nothing to ſay for her ſelf, but a great deal againſt her ſelf*: Onely that ſhe implored the King's Mercy, and that their Lordſhips would be her Mediators.

Her Youth, her Beauty, her Sex, and Quality, which moved Compaſſion in the Spectators, who otherwiſe deteſted her Crime, could not be leſs prevalent with the Nobility. The King inſerting in the Preface to the *Patent* of her *Pardon*, the Interceſſion of the Lords, as a reaſon of his Clemency, as well as the malice of ill Agents about her, and the ſatisfaction that already had been made to Juſtice.

The next day her Lord acted his diſaſtrous Part upon the ſame ſtage; and as he had continued obſtinate hitherto, perſiſting in his Innocency, ſo he now pleaded not Guilty. But after a Trial of many Hours, he was Convicted, and Sentence given againſt him. The King pardon'd him as to his Life alſo, and in the year 1621 releas'd them both out of the *Tower*, till which time, and in which place they had ſuffer'd Impriſonment, thereby verifying the Prediction of *Overbury* ſent to this Lord, *That he ſhould repent that in the* Tower, *which he had committed againſt him being a Priſoner there.* But how merciful ſo ever the King appear'd in abſolving of theſe Noble Perſons, it has given occaſion to ſome others, to reflect upon the Imprecations he is reported to have laid upon himſelf and Poſterity, if he ſpared any Perſon, how great ſoever concerned in this Murder.

There

There are many Books extant, from which I have extracted this Narration, but no part pleas'd me better than the Eloquent Speeches made by Sir *Francis Bacon* then Attorney General at the Trials of the Earl and Counteſs of *Somerſet*, and no where correctly Printed that I know of, but in his *Remains* Publiſhed 1679. Tho' they deſerve a Place among his other Orations contain'd in the *Reſuſcitatio.*

It is reported that the Chief Juſtice *Coke* let fall ſome words at the Trial of Sir *Thomas Mounſon*, (for being Acceſſary to *Overbury*'s Death,) and committed ſome things previous to that of *Somerſet*'s, which gave great offence at *Court*; ſo that his diſgrace being ſoon perceiv'd, Sir *Francis Bacon* takes that opportunity to ſend him a large and ſeaſonable Letter of Advice, Printed in this Collection, *Numb.* 70. with all the Correctneſs I was able to give it. Theſe things being aggravated with ſome other Proceedings as diſpleaſing, in the beginning of this year, deprived him of his Place before the expiration of the ſame.

The *Firſt* I ſhall take notice of, was occaſion'd through the great difference which aroſe between the Lord *Chancellor*, and the Lord *Chief Juſtice*, concerning the *Juriſdiction* of the Court of *Chancery*, and the *Kings-Bench*, which was moved upon this account. One Mr. *Courteney* ſuing in the *Chancery* to be reliev'd againſt a Judgement obtain'd at the Common Law; an Indictment for a *Præmunire* grounded upon the *Statute* 27 *Ed.* 3. *cap.* 1. was preſer'd, againſt him and his Agents, in the *Kings-Bench* at the end of *Hillary-Term*, 161$\frac{5}{6}$. Tho' the Jury refus'd to find the Bill, yet thereupon ſprung that contended Queſtion, *Whether by virtue of the ſaid Statute, and that of the fourth year of* Hen. 4. *cap.* 3. *the* Chancery, *after* Judgement *given in the* Courts *of* Law, *was prohibited from giving Relief upon matters ariſing in Equity; which the Judges at Law could not determine or relieve.* The attempt made upon this Great Court was not more grievous to the Lord *Chancellor*, than the manner of proceeding in it, being at a time when his Lordſhip was ſo ill, as that his Life was almoſt deſpaired of. But this Controverſie is ſo fully repreſented in the 57th, 58th, and 59th Letters, and the firſt part of the *Memorial*, Numb. 73. that I need not trouble the Reader, with any repetition of it in this Place. Onely it may be

convenient to declare, that the King as Supreme Judge of the Juriſdictions of his Courts, uſed the utmoſt care to inform himſelf therein; and refer'd the ſame to Sir *Fr. Bacon*, and Sir *Hen. Yelverton* his Attorney and Solicitor, Sir *Henry Montague*, and Sir *Ranulph Crewe* his Serjeants at Law, and Mr. *Walter* the *Prince*'s Attorney, all Eminent Men in their Profeſſion. Who upon a ſerious Conſideration of the Statutes, and the occaſion of making them, and of the *Preſidents* ſince that time; did in *April* 1616 preſent the King with their Opinions and Reaſons why they conceiv'd theſe Statutes did not extend to the Court of *Chancery*. Conſonant to which Reſolution his Majeſty upon further advice, gave Judgement in *July* following; and order'd the Caſe, the Certificate, and the Tranſactions thereupon to be Inrolled in the ſame Court.

Sir *Francis Bacon* who had not onely given his Opinion, according to his Oath as *Attorney-General*, but I think alſo, as *Privy-Counſellor*; to which Truſt he was about this time admitted, did likewiſe the next year, upon taking his Place as *Lord Keeper* among divers *Rules* he laid down, by which to govern himſelf, which are Printed in the *Reſuſc. pag.* 81. declare his Sentiments in the following words.

—" The *ſecond* Point concerneth the Time of the Com-
" plaint, and the late Comers into *Chancery*; which ſtay till
" a *Judgement* be paſſed againſt them at *Common-Law*, and
" then complain: Wherein your Lordſhips may have heard
" a great Rattle and Noiſe of a *Premunire*, and I cannot
" tell what. But that Queſtion the *King* hath ſetled accor-
" ding to the ancient *Preſidents*, in all times continued. And
" this I will ſay that the *Opinion* not to relieve any Caſe
" after *Judgement*, would be a guilty *Opinion*. Guilty of the
" Ruine and Naufrage, and periſhing of infinite Subjects.
" And as the King found it well out, why ſhould a Man
" fly into the *Chancery* before he be Hurt? *The whole need*
" *not the Phyſician but the ſick.* But, *my Lords*, the *Power*
" would be preſerv'd, but then the *Practice* would be mode-
" rate. My *Rule* ſhall be therefore, that in Caſes of Com-
" plaints after *Judgements*, (except the Judgements be upon
" *Nihil dicit*, which are but Diſguiſes of Judgements, or ob-
" tained

" tained in contempt of a Preceding Order of this Court;)
" yea and after *Verdicts* alſo; I will have the Party Com-
" plainant enter into good Bond to prove his Suggeſtion;
" ſo that if he will be relieved againſt a Judgement at *Com-*
" *mon-Law*, upon matter of *Equity*, he ſhall do it, *Tanquam*
" *in vinculis*, at his Peril.

This Opinion which he deliver'd in the Preſence of a Large and Honourable Aſſembly, He ſome years after ſeems to declare to the World in certain *Aphoriſms* concerning the Univerſal and Natural *Fountains* of *Juſtice*, from which the ſeveral *Streams* of *Civil Laws* are to be derived; which are contain'd in the *Eighth Book* of his *Advancement* of *Learning*.

Aphoriſmus 35.

Habeant ſimiliter Curiæ Prætoriæ *Poteſtatem tam ſubveniendi contra Rigorem Legis, quam ſupplendi Defectum Legis. Si enim porrigi debet Remedium ei, quem Lex præteriit; multò magis ei quem vulneravit.*

There are others of the like nature, which I ſhall leave to every Perſon to conſult as he pleaſe; having only pointed out the place where theſe and many other admirable *Aphoriſms* relating to *Laws* are to be found.

It may be preſumed that my Lord *Coke* not onely ſubmitted, but acquieſced in the Juſtice of the Judgement given by the *King*, as before is related. Becauſe that being an active Member in four *Parliaments* after this time, which redreſs'd ſeveral Publick Grievances; I do not find that ever he reflected upon this. And the Court of *Chancery* proceeded therein, in my Lord *Bacon*'s, the Biſhop of *Lincoln*'s, and Lord *Coventry*'s times, in the ſame manner it had done before. 'Till after the Printing of Sir *Edward Coke*'s third and fourth *Inſtitutes* many years after the Author's Death, and upon viewing ſome Caſes he had inſerted therein, or Collected during the Heat of theſe Debates; the *Queſtion* began to revive, and particularly in the year 1658, *&c.* in the Caſe of *Harris* and *Colliton* in the *Exchequer*; ſome of the Arguments made in that Caſe *Pro* and *Con*, are now in Print, and one wherein this Power of the Courts of *Equity* was at large aſſerted, I have ſeen. But there is a Learned *Gentleman* now

 living,

living, who lately preſided in that Court, who did then in that Caſe, and hath ſince, maintain'd the contrary in a Book which is Printed, but not Publiſhed; ſo that I never had the opportunity of ſeeing it but for a few minutes; for which reaſon as well as many others it does not become me to deliver any Opinion. But the Certificate in King *James*'s Time, and the Reſolutions thereupon, which were made publick many years ſince, and lately with ſome additional Arguments at the end of the firſt Volume of a Book in *Octavo*, Intituled, *Chancery Reports*, ſeem to give a clear and ſatisfactory account of this Matter.

But this was a time, in which my Lord *Coke* was not onely contending with the Lord *Chancellor*, but with the King himſelf: For His Majeſty being informed, That in the Arguments concerning the great Caſe of *Commendams*, ſome Poſitions were affirm'd by one of the Counſel, which touch'd him nearly in his Prerogative, as to the granting of *Commendams*: He did by Letter of his *Attorney* general, require the *Judges*, for ſome Reaſons, to defer their arguing the caſe for a little time, till His Majeſty could have Conference with them. But the Judges diſobey'd the Letter, and proceeded in the Cauſe: For which they were convened before the *King* and *Council*; where at length, they all, except the chief Juſtice *Coke*, fully ſubmitted themſelves. But I believe the Reader will be ſo well pleaſed to view the whole Proceſs hereof contained in the 72d. Letter; the latter part of the *Memorial* Number 73, and in the *Act* of *Council*, of the 6th of *June* 1616, drawn up by Sir *Francis Bacon*; that it would be ſuperfluous to make any relation of that here, which is ſo fully repreſented in its proper place. And if he ſhall be as curious to know the Matters in *Law* ariſing thereon, he may find them largely and elaborately reported by my Lord chief Juſtice *Hobart*, in his Argument of the Caſe of the Biſhop of *Lichfield* and *Coventry*; and not of *Lincolne*, as by miſtake it is Written in the aforeſaid *Memorial*.

It is not to be doubted, But that theſe Proceedings, made my Lord *Coke*, ſit both uneaſie, and inſecure upon the *Bench*: But the chief cauſe of his removal from it, according to Mr. *Roger Coke* his Grandſon, was his refuſal to admit

mit of the *chief Clerk*, *for inrolling of Pleas in the Court of Kings-Bench*, at the Nomination, and in Truſt for Sir *George Villiers*, and upon the Surrender of Sir *Nicholas Tufton*, made Lord *Thanet*, in conſideration thereof. In the Perſon, I am ſure he is miſtaken, tho' he may be right in the Cauſe, which may in a great meaſure, be Collected from ſome of the enſuing Letters: And in ſhort appears to be this. Sir *John Roper*, who had many years enjoy'd this profitable Place, eſteemed to be worth then about 4000 *l. per Annum*, being grown very old, was prevail'd with, to ſurrender the ſame upon being created Lord *Teynham*, with a Reſervation of the Profits thereof to himſelf during his Life. Upon which Surrender, Sir *George Villires* was to have the Office granted to two of his Truſtees, for their Lives, as it ſeems the Earl of *Somerſet* was to have had before. But my Lord *Coke* not being very forward to accept of the ſame, or make a new Grant thereof upon theſe Terms: He was upon the 3d. of *October* 1616, commanded to diſiſt from the ſervice of his Place, and finally removed from it, upon the 15th day of *November* following. His Succeſſor Sir *Henry Montague*, third Son of Sir *Edward Montague* of *Boughton* in *Northamptonſhire*, Recorder of *London*, and the King's Serjeant, being more complaiſant; Sir *John Roper* reſigned towards the latter end of the ſame Month, and Mr. *Shute* and *Heath*, who was afterwards the King's *Solicitor* General, being the Deputies and Truſtees of Sir *George Villiers*, were admitted.

I think there was no Queſtion at that time, or long before, or ſince that time, but that the Diſpoſition of this Office, reſted intirely in the *Chief Juſtice* of the Court: Till the Right of the preſent Ornament thereof, the Honourable and Learned Sir *John Holt*, came to be conteſted a few years paſt, by Her Grace the Dutcheſs of *Grafton*, by Virtue of a *Patent*, granted from King *Charles* the II. What Agitation it had in that, and alſo in a higher Court, is ſo freſh in Memory, that it need not to be related.

I have formerly mention'd how abruptly, and in what ill humor, the King parted with his Parliament in the year 1614. And have touched upon one of the way's his Majeſty afterwards took to ſupply the Occaſions of his Crown,

and

and of his Court. But among all the Projects for procuring of Money, in which this time abounded, none seem'd more Specious, or more Conducing to the Publick Good than that; which in the year following was propos'd, through the Lord *Treasurers* means, by Sir *William Cockayne*, a Rich and Understanding Alderman of the City of *London*. For the *Society* or Fellowship of the *Merchant Adventurers*, having enjoy'd by Licence from the Crown, a Power of Exporting yearly, several Thousands of *English* Cloths Undyed: It was imagin'd, that the King would not onely receive an Increase in his *Customs*, by the Importation of Materials necessary for *Dying*, but the Nation a considerable advantage, in imploying the Subject, and improving the Manufacture to its utmost, before it was Exported. This Proposition being besides attended with the offer of an immediate Profit to his Majesty, was soon embraced; the *Charter* granted to the *Merchant Adventurers* recalled, and Sir *William Cockaine*, and several others Traders Incorporated upon certain Conditions; as may in part appear, by Sir *Francis Bacon*'s Letter to the King, dated the 12th. of *August* 1615. Tho' some others in that, and in the following year, soon inform us, what Difficulties the *King* and *Council*, and indeed the whole *Kingdom* sustain'd thereby. For the Trading Towns in the *Low-Countries* and in *Germany*, which were the great Mart and Staple of these Commodities, perceiving themselves in danger of losing the Profit, they had long reaped by Dying and Dressing great Quantities of English Cloth, the Dutch Prohibited the whole Commodity: And the Materials being either dearer here, or the Manufacturers less skilled in fixing of the Colours, the vent of Cloth was soon at a stand; upon which the Clamour of the Countries extended it self to the Court. So that after several Attempts to carry on the Design, Sir *Francis Bacon* finding the New Company variable in themselves, and not able to comply with their Proposals, but making new and springing Demands, and that the whole matter was more and more perplex'd; doth upon the 14th of *October* 1616, send a Letter to the Lord *Villiers*, incloſing his Reasons, why the *New Company* was no longer

longer to be truſted, but the *Old Company* to be treated with and revived. In which ſervice I find Sir *Lionel Cranfield*, by his Letter of the 30th of *March* 1617, and ſome others, had been ſo induſtrious, that the Dyers and Cloth-Workers of the City of *London*, perceiving their expectations likely to be defeated, threatened him and ſome of the Old Company with Deſtruction: Inſomuch, that he therein deſires the Lord *Villiers*, that if he periſh by them, his Lordſhip would be good to his Wife and Children, and procure their *Wardſhip* to be committed to her.

After an offer made of a 100000 *l.* to the King, by ſome Members of the *Old Company*, to have their *Charter* reſtored; it was found, that by reaſon of the diſorders in Trade, both at home and abroad, it would be very pernicious to them to raiſe ſo great a Sum; How much ſoever the King's occaſions wanted the ſame, or how great ſoever their deſires were to be reeſtabliſhed: So that the Earl of *Suffolk*, Lord *Treaſurer*, Sir *Ralph Winwood* Secretary of *State*, and Sir *Fulke Grevil*, Chancellor of the *Exchequer*; do by their Letters ſent to my Lord *Buckingham*, a little before the King's return from *Scotland*, certifie to his Lordſhip in this manner. "According to the Directions of your Lordſhip's "Letter, we have called before us the principal of the "*Merchant Adventurers*; and after divers Conferences, we "have under His Majeſties Approbation, thus concluded "with them. That upon the Signing of a *New Charter* "with the ſelf ſame Immunities and Privileges, which for-"merly they enjoy'd, and the Publiſhing of a *Proclamati-"on*, for the better advantage of their Trade; they ſhall "pay the Sum of 25000 *l.* and within three Months next "after 25000 *l.* more. This is the greateſt Sum that we are "able to draw from them, and that with ſome difficulty, *&c.* Purſuant hereunto, and to a Power of *Revocation* contain'd in the *New Charter*, that was recalled, and a Proclamation Publiſhed for reſtoring the Old Company, dated the 12th of *Auguſt* 1617, at *Aſhton* in *Lancaſhire*, where the King then lay in his Paſſage from *Scotland*; and ſoon after another Charter was granted to them.

But the Loan of this Money, and ſeveral Sums to the King and Queen of *Bohemia*, attended with the Decay of their

their Trade, had ſo wounded this antient Society of *Merchant Adventurers*, (under whoſe Nurſing care, the Woollen Manufacture had for ſome Ages been riſing to ſuch degrees, as to become the Glory and Riches of the Engliſh Nation, and the envy of its Neighbours;) that I fear they are not yet in any probability of recovering their former Strength and Beauty. This brought them into Debt, and Debts occaſion'd them to lay ſome Impoſitions upon Cloth, which the Houſe of *Commons* cenſur'd by their Votes, in *April* and *May* 22d. *Jacobi*, and thereby drawing down the anger of the Parliament a little upon that Body, which had ſo frequently taſted their Favours: By whom many Laws had been paſſed to their advantage; none as I think to their prejudice; But in the 12th year of *Henry* the VII. and in a caſe which has ſome affinity to this, as may be ſeen in the *Hiſtory* of that Reign, Written by my Lord *St. Alban*, Pag. 161. 2. 3.

How prejudicial this Propoſal of Sir *William Cockaine* proved in the end, may be collected from the Anſwers this *Company* gave to the *Interlopers* Reaſons, for a Free Trade offer'd to a grand Committee of *Trade*, in the 14th year of King *Charles* the II. Wherein they declare, That thereupon the *Dutch* ſet up the Manufacture of Cloth; and altho' upon the repealing the New Charter, the Trade was fallen into its old Channel again, yet they would never revoke the Prohibition of all Engliſh Cloth Dreſſed and Dyed: After much Altercation between the Free Traders and the Company, the King confirm'd their Charter.

In this conteſt between theſe two Bodies Politick we have ſeen how fatal it proved to the one, and how miſchievous to the other. In the next place I ſhall conſider a greater inconvenience, which about the ſame time affected the Publick, through the frequent Revenge of Private Quarrels by *Duels*. By this means a Fountain of Blood had plentifully flow'd in *France*, notwithſtanding the Severe *Edicts* of their late, and then preſent King; till it became ſo powerful an Evil, that tho' the Great Cardinal *de Richelieu* gave ſome check to it, by the Puniſhment of *Meſſieurs de Chappelles* and *Bouteville*, two young Gentlemen of great Valour, wherein he reſiſted the Prayers

Prayers of their Friends, the Mediation of the greateſt Perſons of Quality, and his own paſſionate Deſires; yet all his applications and thoughts upon this Subject, as he tells us in his *Politick Teſtament*, could never bring that to effect, which has ſince been accompliſhed by the great conſtancy and ſeverity of the preſent King. Which *Monſieur le Vaſſor* an Hiſtorian of his own Nation, takes the liberty to ſay, is the beſt, and perhaps the onely good Action he hath done in a Reign of Fifty ſix years.

From *France*, This noxious Weed ſeems to have been Tranſplanted into *England*; and the endeavours Sir *Francis Bacon* uſed to root it out, in the caſe of one *Prieſt*, upon his being made the King's *Attorney*, was ſo well approved of by the Lords of the *Council* Aſſembled in the *Star-Chamber*, that they order'd the Charge he then deliver'd againſt *Duels* in general, to be Printed and Publiſhed with the *Decree* of the *Court* it ſelf, which is ſince remitted into the Second Part of the *Reſuſcitatio*. And the laſt ſervice I ſhall have occaſion to mention before he left that Place, was what he performed in the ſame Court, and upon the like occaſion, in Proſecuting one Mr. *Markham* for diſperſing Letters of *Challenge* to the Lord *D'Arcy*. The caſe being reported by my Lord *Hobart*, to be in *December* 1616, directs me where to place the 91ſt. Letter relating thereunto, the date thereof being omitted in the Original.

As a Reward for theſe, and his other long Services of the Crown, the *King* upon the 7th. of *March* following committed to his Cuſtody the great Seal of *England*, ſome little time after the Lord *Chancellor*'s Voluntary Reſignation, as is already declared. It was no new thing for Perſons from leſs Abilities, and lower Places to riſe into this: therefore the Author of the *Court*, &c. of King *James*, had as little reaſon to reflect upon that, as to inſert ſome other falſe and foolliſh Stories, relating to this Gentleman. In one thing I ſhall agree with him; namely, that my Lord of *Buckingham* was very Inſtrumental in his Preferment, which Sir *Francis* acknowledges by his Letter of the ſame day, and the 92d. of this *Collection*. And ſurely, fewer Lines did never contain a greater ſenſe of Gratitude, or expreſſed in a more becoming manner; tho' by the Original, they ſeem

to have been haſtily written, and may ſerve to confirm what had been told to one that lived in his latter Times, that his firſt *Copies* required no great Labour, to render them competent for the niceſt Judgements.

Upon the 14th day of the ſame Month of *March*, the King began his Journey into *Scotland*, which he had left juſt the ſame number of Years. But before his departure, he appointed Commiſſioners for managing the *Treaty* of *Marriage* between the *Prince* his Son, and the *Infanta* of *Spain*, whither Sir *John Digby* his Majeſties Vice-Chamberlain was deſign'd to be ſent upon his third Ambaſſage: For which, and his ſubſequent Endeavours therein, and his other Services both at home and abroad, he was created Lord *Digby*, and Earl of *Briſtol*. I ſhall not from the occaſion of the 95th and other Letters, enter into a *Detail* of this Affair, which lay ſo near to the King's Heart, and was ſo long purſued againſt the Opinion of many of his *Council*, and the general Inclinations of his *People*: The Hiſtory thereof is well known, and it would take up too much of the Paper and Time that is yet left me. The Reader will therein obſerve the inconvenience my Lord *Keeper* did foreſee by His Majeſties Proceedings in that Treaty with a *Council* divided, and not united; the ill Fruits whereof he had ſeen in other caſes, and this yielded no better in the end.

The Lord *Keeper* was ſcarce warm in his Seat, when the ſame Hand which conducted him thither, had like to have removed him from it: The occaſion whereof was this. Upon the 16th of *June* 1617, Mr. *Secretary Winwood* writes to the Earl of *Buckingham*, then with the King in *Scotland*, that Sir *Edward Coke* coming to him upon buſineſs, began of his own accord to complain of his Unhappineſs, to be ſo far remov'd from his Majeſties Favour, to which he deſired to be reſtored, and without which, he at length profeſſed, he could no longer breath; that he, with much ſorrow, acknowledged his former reſpectleſs Behaviour to his Lordſhip, in relation to the Treaty, ſome time before propoſed, of a Marriage between his youngeſt Daughter *Frances*, and Sir *John Villiers* his Lordſhips elder Brother; deſiring that the ſame might be renewed, with very advantagious Propoſals upon his part.

But

But her Mother the Lady *Hatton*, (between whom and her Husband Sir *Edward Coke*, there was little agreement, and no love) being either averſe to the Match altogether, or becauſe it did not move from her, from whom the young *Lady* was to expect a conſiderable addition to her Fortune, employ'd her utmoſt endeavours to prevent it. As my Lord *Keeper* by his *Letters* to the King and the Earl, dated in the Month of *July*, uſed all the Reaſons and Arguments his Wit could ſuggeſt, why it was not adviſable to proceed in the Match, and why (which was the thing intended by it) Sir *Edward Coke* ſhould not be readmitted into Favour. In the mean time her Mother removed her unto Sir *Edmund Withipoles* Houſe near *Oatlands*, without the privity of Sir *Edward*: Who thereupon applys to *Buckingham*, and by his means beſeeches his Majeſty to direct a Warrant to ſome of his *Privy Council* to Summon before them his Wife and her Confederates, in order to recover his Daughter. But underſtanding in a few days where ſhe was convey'd, he doth with his Sons and Servants, without any Warrant or Conſtable aſſiſting, break open Sir *Edmund*'s Houſe, and brings his Daughter with him. My Lady *Hatton* complaining of this violence to the *Privy Council*, Sir *Edward Coke* affirmed that he could juſtifie his Proceedings by Law: But Sir *Hen. Yelverton* the King's *Attorney* maintaining the contrary, he was order'd to proſecute the Father in the *Star-Chamber*, and to take upon him the preſent care of the Child. By whoſe Charitable Endeavours, the Act of *Council* dated the 18th of *July* 1617, which recites all this Matter at large, declares that Sir *Edward* and his Lady were ſo far reconciled, that their Daughter was deliver'd to them again, and the *Information* ſuſpended till his Majeſty's Pleaſure were known.

But the Lady *Compton* and her *Son* Sir *John Villiers* preſſing the Match, and the *King* and Earl of *Buckingham* approving thereof; the oppoſition the Lord *Keeper*, and as I conceive alſo, ſome others of the *Privy Council* had given to it, drew down no ſmall diſpleaſure upon them. For upon the King's return from *Scotland*, *Buckingham* writes to his Lordſhip, that his Majeſty intended at his firſt ſitting in Council, to reprimande ſo many of his *Counſellors* as were active in this *Buſineß*, for their ill Behaviour in it; and that he would

name ſome of the particular Errors, tho' without accuſing any particular Perſons. And then adds, that notwithſtanding the reaſon he himſelf had to be offended, yet ſeeing his Majeſty ſo much diſpleas'd, from being a Party concern'd, he became an Advocate, *&c.* The *Buſineſs* alluded to, I preſume, was this of the *Marriage*, and how ſenſible my Lord *Keeper* was of his Lordſhip's kindneſs and reconciliation, and ſervice therein, can never be ſo lively repreſented by any other Hand as his own, in thoſe few Lines his Lordſhip writ in anſwer thereunto upon the 17 of *Sept.* 1617. *Numb.* 104.

Upon the 29th of the ſame Month Sir *Ralph Winwood*, the King's faithful and able Servant ſaw this Marriage brought to a concluſion, (the Treaty whereof had created ſome animoſities between the *Keeper* and himſelf) and ſoon after he concluded his own Life. Sir *Edward Coke* was thereupon admitted into the *Privy Council*, tho' that Favour, which did not laſt long, was not purchaſed at an eaſie rate. For beſides 10000 paid in Money at two Payments, Sir *Edward* and his Son Sir *Robert*, did upon the Second of *November*, purſuant to Articles and Directions from the Lords of the *Council*, aſſure to Sir *John Villiers* a Rent-charge of 2000 Marks *per Annum*, during Sir *Edward*'s Life, and of 900 *l.* a year, during the Lady *Hatton*'s, if ſhe ſurvived her Husband. And after both their Deaths, the Mannor of *Stoke*, &c. in *Buckinghamſhire* of the value of 900 *l. per Annnm*, (being the moity of the Lands intended to his two Daughters by the Lady *Hatton*) to Sir *John Villiers* and his Lady, and to the Heirs of her Body. And that the ſame were ſetled by good Conveyances carefully drawn, as upon the 27 *Jan.* 1617, was certified to his Majeſty under the Hands of Sir *Ranulph Crewe*, Sir *Rob. Hicham*, and Sir *Henry Yelverton* the King's *Serjeants* and *Attorney*. What ſhare of her Mother's Bounty fell upon them, I cannot be ſo particular, but I conjecture it was conſiderable. But as the Differences between her and Sir *Edward Coke* grew as high as ever in a little time, and her Complaints to the *King* and *Council* more frequent and earneſt, ſo a little more time diſcover'd the like between Sir *John Villiers*, Created Baron of *Stoke* and Vicount *Purbeck*, and his new Lady; whoſe familiar Converſation with Sir

Robert

Robert Howard ſubjected her to private Reflection, and publick cenſure. The Settlement made upon this Marriage, with ſome ſubſequent Acts of Sir *Edward Coke*, occaſion'd the Arguments and Reſolutions of a remarkable Caſe between *Wigge* and *Villiers* adjudged by the Chief Juſtice *Rolle* in 1651, and ſeven years after by his Succeſſor Sir *John Glynne*, which is reported by the Former, in the Second Part of his *Abridgement* of the *Common Law* in the *Title* of *Uſes*.

This ſtorm which was likely to have fallen ſo heavy upon my Lord *Keeper*, being thus diverted, he applies himſelf as one of the Lords of the *Council* to ſee the King's *Orders* touching the *Retrenchment* of his *Tables*, and other Charges of the *Houſhold* put in Execution, as appears in his *Letters* towards the latter end of the year 1617. But the Difficulties the *Council* met therein, through the Intereſt of the *Officers*, confirm the Obſervations made by Cardinal *Richelieu* in his *Politick Teſtament*; where in the Seventh Chapter of the Firſt Book, he Diſcourſes at large concerning the *Reformation* of the Houſhold of *Louis* the Thirteenth, as a thing much more fit to be done, than eaſie to be attempted with ſucceſs.

I ſhall paſs over the two ſucceeding years, with little Reflection upon any thing that happen'd therein, beſides the two memorable *Cauſes* that were heard in the *Star-Chamber* in the year 1619. The one being a Proſecution againſt ſeveral *Dutch Merchants*, for exhauſting the Treaſure of the Kingdom by Exportation; and the other againſt the Lord *Treaſurer* himſelf, for ſeveral Miſdemeanors in Relation to his Office. The Affair of the *Merchants* is in ſome meaſure repreſented in the 116th, 120th, and 123d Letters, but thoſe being much divided in point of time, I ſhall by the aſſiſtance of ſome Authentick Papers of the like nature, *&c.* compoſe a ſhort and as true a Relation thereof as I am able.

Upon the 19th of *October* 1618, the *Attorney-General* applied himſelf to the Lord *Chancellor* for *Writs* of *Ne exeat Regnum*, againſt the *Dutch Merchants*, and afterwards exhibited an *Information* againſt about One hundred and eighty of them, for Tranſporting beyond the Seas vaſt Quantities of Gold

Gold and Silver in Money, Plate and Bullion, ſince the beginning of the Preſent Reign. The *Attorney* at firſt brought the Cauſe to a Hearing againſt Twenty of them, or thereabouts; ſuch as I ſuppoſe were the greateſt Offenders, and of the greateſt ability to make Reſtitution. Their *Fines* amounting in the whole to 150000 *l.* of which Mr. *Courteen*, and two others were condemn'd in 20000 *l.* a piece; The advice which my Lord *Chancellor* gave the King not to grant away the Fines of ſuch ten of them as Sir *Thomas Vavaſor* the Diſcoverer ſhould chuſe, and which it ſeems he had in a manner promiſed, was a piece of Service worthy the Place he enjoy'd, and Truſt he had with the King. Upon the 12th of *Octob.* 1619, *Courteen* was cenſured to pay 2000 *l.* more, and others in ſmaller Sums, for endeavouring to corrupt the King's Evidence. And the 19th of *November* following was appointed for the Trial of between Twenty and Thirty more; but by reaſon of ſome neglect or miſmanagement in the Proſecution, which gave the Court a great deal of trouble, and the Defendants ſome advantage, the Cauſe was not heard till the Seventh of *December*, tho' moſt of them were then found Guilty. Of the large *Fines* which were impos'd upon the Delinquents, I conceive they paid but a *third* part: For during the Proſecution, the *States* did by Letter deſire the Marquis of *Buckingham* to endeavour to moderate the Heat thereof, *&c.* as Sir *Noel Caron* their Ambaſſador did the next day after *Sentence*, to mitigate the Severity. It was not long after this Proceeding, that Mr. *Courteen*, afterwards Sir *William*, whom I have lately mention'd, became one of the moſt conſiderable Merchants of his time; and altho' he be here numbred among the *Dutch*, yet he was born in *England*, whither his Father fled for Refuge to avoid the Perſecution raging in *Flanders* under the Duke of *Alva*. For in 1633, being ſome few years before his Death, his Real Eſtate in *England* was valued at 6500 *l. per Annum*, and his Perſonal at 128000 *l.* But by reaſon of his Negotiations to the *Eaſt-Indies*, undertaken in a great meaſure, as I remember, at the Inſtance of King *Charles* the Firſt, the great Engagements he enter'd into thereupon; and the great Loſſes he ſuſtain'd in thoſe Parts by the Nation from which he was deſcended: His Poſterity enjoy'd the leaſt

leaſt Part of his Eſtate, and that attended with much trouble and vexation.

During the Proſecution of the Cauſe I have been ſpeaking of, *Thomas Howard* Earl of *Suffolk* Lord *Treaſurer* of *England* was brought upon the ſame *Stage*. But the *Letters* relating to this *Scene* being all wanting but two, I ſhall endeavour to ſupply that defect out of ſuch Original Letters of Sir *Robert Naunton*, and Sir *George Calvert* the Secretaries of *State*, as have fallen under my Obſervation. The Lord *Treaſurer* was Son of the laſt Duke of *Norfolk*, by *Margaret* his Second Wife, Daughter and Heir of the Lord *Audeley* of *Walden*. By Queen *Elizabeth* he was reſtored in Blood, and Created a Peer of the Realm, and being much confided in by his Kinſman the Lord *High Admiral*, he gave him the Command of ſome part of the Fleet upon ſeveral Expeditions. But in the next Reign he came nearer to the Court, and was made Lord *Chamberlain* of the Houſhold; and in the 12th year thereof, promoted to be Lord High *Treaſurer* of *England*; which Office he enjoy'd about four years. When being accuſed for ſeveral Miſdemeanors relating thereunto, committed by himſelf, his *Lady*, and Sir *John Bingley*, an Agent therein, ſome *Commiſſioners* were appointed by the King for the management of his Treaſure, and others to inſpect their offences. And an *Information* being prefer'd againſt them all in the *Star-Chamber*, after ſeveral Days of Hearing, the *Cauſe* was finally determin'd, and the Parties ſentenc'd upon the 13th of *November* in the year 1619. Sir *Edward Coke* led the way, by ſhewing from divers *Preſidents* in former Ages, how other *Treaſurers* had been puniſhed for ſmaller Delicts and Miſcarriages; that the King having ſuffer'd by means of the Preſent Treaſurer and his Lady 50000 *l. viis & modis*, he condemn'd them to pay 100000 *l.* although he ſaid, he might very well have made it Quadruple that Sum; to be Impriſon'd in the *Tower* at their own Charges: And then Fined Sir *John Bingley* an under-Officer and ill Agent in the Treaſury 5000 *l.* with Impriſonment in the *Fleeet*. With this Sentence concur'd the Chancellor of the *Exchequer*, and Mr. Secretary *Naunton*, who in a Letter to my Lord of *Buckingham*, writes that he declared

declared the Proceedings in this Cauſe *Seriatim ab Ovo*, from the granting the Commiſſion of *Enquiry*, and the Reaſons thereof, by which it appear'd how Graciouſly his Majeſty was ever inclined to Mercy, in remitting all Proſecution againſt the *Earl*, if it might have conſiſted with his Honour. But the Lord Chief Juſtice *Hobart*, who agreed that this Lord and his Lady were in a great meaſure guilty of the Charge, yet he differ'd much in the eſtimation of the Damage; and then conforming his Opinion to the Law of *England* declared by *Magna Charta*, *That every Man ought to be Fined, Salvo Contenemento*; which he interpreted to be the leaving of him ſufficient maintenance to live according to his Degree, otherwiſe it were a *Ranſome* rather than a *Fine*. He concluded his *Sentence* that this *Lord* and his *Lady* ſhould pay 30000 *l.* to the King; and *Bingley* who had been the Baſe Broker between them and the Subject, and guilty of much corruption, 2000 *l.* onely; in reſpect that he was in Office under the Treaſurer, and the Rewards he took as far as appear'd in Proof, were ſlight and unworthy things. With my Lord *Hobart* the reſt of the *Court* agreed; ſo that Secretary *Naunton* (who appears to have been a Perſon of Moderation and great Candor) writes that he and the other two were traduced as mercileſs Men, yet ſince he never ſaw the Lord *Hobart*'s Rule take Place in leſs offenders, he knew no reaſon why it ſhould be extended to greater.

Soon after this Sentence the *Earl* and *Counteſs* of *Suffolk* were committed to the *Tower*, but as ſoon releas'd by the Mediation of the Marquis of *Buckingham*, and the Fine reduced to 7000 *l.* By all that I have obſerved, this Lord who was generally eſteem'd a plain hearted and honeſt Gentleman, ſeems to have been the leaſt Guilty of the Three that were ſo declared. While he was Lord *Chamberlain* he begun to erect that Magnificent Pile of *Audeley-End*, and before he had quite finiſhed it, I conceive his Troubles came upon him; which gave him occaſion to reflect upon the Truth of the Motto, he had cauſed to be inſcribed upon the Wings of that Fabrick in large *Roman* Capitals: *Prudentis eſt, in Conſilio Fortunam ſemper habere.*

At

At the ſame time that the Lord *Treaſurer* was falling from his Place and Fortunes, the Lord *Keeper* was riſing in Favour and Honours: For upon the 4th of *January* $16\frac{18}{19}$ he was made Lord *Chancellor*, and the 11th of *July* following Created Lord *Verulam*, anciently the Seat of a noted *Roman* Colony, and ſtill Famous, tho' in its laſt Ruins, for ſome Remains of that Nation. Upon the 22d of *January* in the year $16\frac{19}{20}$ his Lordſhip Celebrates his Birth-day at *York-Houſe* near the *Strand*: In Honour of which *Benj. Johnſon* Conſecrates the following *Verſes*, addreſs'd to the *Genius* of the Place.

Hail Happy *Genius* of this ancient *Pile!*
How comes it all things ſo about the ſmile?
The Fire, the Wine, the Men? and in the midſt
Thou ſtand'ſt, as if ſome *Myſtery* thou did'ſt.
Pardon, I read it in thy *Face*; the *Day*
For whoſe Return, and many, all theſe Pray,
And ſo do I. This is the *Sixtieth* year
Since *Bacon*, and thy Lord was born, and here:
Son to the Grave wiſe *Keeper* of the *Seal*,
Fame and Foundation of the *Engliſh* Weal.
What then the Father was, that ſince is he,
Now with a Title more to the Degree;
England's High *Chancellor*, the deſtin'd Heir,
In his ſoft Cradle, to his Father's Chair.
Whoſe even thred the *Fates* ſpin round and full
Out of their choiceſt and their whiteſt Wool.
'Tis a brave *Cauſe* of *Joy*, let it be known,
For 'twere a narrow Gladneſs kept thine own.
Give me a deep Crown'd *Bowle*, that I may ſing,
In raiſing him, the Wiſdom of my *King*.

In the midſt of theſe Honours, Applauſes, and multiplicity of Buſineſs, my Lord *Chancellor* did not forget his beloved *Philoſophy*. Producing to the light in *Octob.* 1620, a Work which he had long formed in his thoughts, and Entituled, *Novum Organum*. This Book he Dedicates and preſents to the *King*, &c. and the ſatisfaction his Majeſty expreſſes upon that occaſion, will be beſt ſeen in his Letter ſent to his Lordſhip upon the 16th of the ſame Month. I ſhall not pre-

tend to be able to give an account of his Lordſhip's Deſign, in his Great Work of the *Inſtauration* of the *Sciences*, or of this which was the ſecond Part thereof; but ſhall refer the Reader to the Diſtribution of the ſeveral Parts of that Model, delineated at large by his own Hand, and prefix'd before this of his *Novum Organum*. It will be ſufficient for me in this Place to borrow a few words from an Ingenious Gentleman, which are contain'd in the *Reflections* he hath lately made upon *Learning*.

" My Lord *Bacon* ſaw clearer into the Defects of this *Art* " of *Reaſoning*, than moſt Men did, and being neither ſatis- " fied with the Vulgar *Logick*, nor with its Reformations " that were made; ſuitably to his vaſt and enterprizing " *Genius*, attempted a *Logick* wholly new, the *Plan* of which " is laid down in his *Novum Organum*. The way of *Syllogi-* " *zing*, ſeem'd to him very fallacious, and too dependent " upon *Words*, to be much rely'd on: His Search was after " *Things*, and therefore he brought in a new way of argu- " ing from *Induction*, and that grounded upon Obſervation " and Experiments.

Before I conclude this year, I muſt from the 127th *Letter* take ſome notice of the Preparations that were made for a *Parliament*, and my Lord *Chancellor*'s Services therein: As the Reader will obſerve from ſome Paſſages contain'd in the following Papers, the Opinion his Lordſhip was always of, that the Convening of that Aſſembly was the beſt expedient to promote the Welfare both of his Majeſty and the Kingdom. And how averſe ſoever the King had been from falling in with thoſe meaſures; yet the neceſſity of the Times, the Deſires of the People, more concern'd to ſee the Proteſtant *Religion* declining in *Germany*, the Elector *Palatine* not onely in Danger of loſing his New Crown, but ancient Inheritance, than the King his Father in Law ſeem'd to be, forced his Majeſty from his former Reſolutions. He knew well in what manner he parted with his laſt Parliament, and that during this Interval ſo abounding in Projects and Monopolies many Grievances had ſprung up: And therefore had reaſon to apprehend that the ſame ſpirit might revive, unleſs ſome care was taken to allay the moſt eager, and ſatisfie the more peaceable Tempers. But as the unhap-

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py Fate of the King of *Bohemia* and his Family, and the ill Succeſs of this *Parliament* are very well known, ſo the cauſes of calling the ſame together, are ſo fully and finely ſet forth in a Draught of the *Proclamation*, Pen'd by my Lord *Chancellor*, Numb. 132. that if the Reader think it one of the longeſt, yet it may be he will think it the leaſt tedious he ever ſaw upon the like occaſion. And the latter Par' which reſpects the *Choice* of *Parliament Men* is ſo well conſider'd as to make it ſeaſonable advice for all times. It is true, that the Proclamation the King publiſh'd upon the ſixth of *November* was much ſhorter, tho much extracted out of this by his Majeſty himſelf.

Upon the 30th of *January* the Seſſion was open'd; at which time my Lord *Chancellor*, newly Created Viſcount *St. Alban*, appear'd in his greateſt Honour and Splendor, and ſoon after in the greateſt ſtate of Humiliation; which latter part being the ſubject that I am to conſider of, I ſhall from the *Journals* of both *Houſes*, and ſome other *Memoires* that I have ſeen, give as an impartial an account of this Reverſe of Fortune and the cauſes thereof, as I have deſired to do, of the brighter part of his Life.

About the 12 of *March* $16\frac{20}{21}$ a *Committee* was appointed of ſome Members of the Lower Houſe, to inſpect the abuſes of the *Courts* of *Juſtice*, whereof Sir *Edward Sackville* was named the Chair-man, but by reaſon of ſome Indiſpoſition, Sir *Robert Phelips* was put into his Place. The firſt thing they fell upon was Bribery and Corruption, of which my Lord *Chancellor* was accuſed by one *Aubrey* and *Egerton*, who affirm'd they procured Money to be given to his Lordſhip, to promote their Cauſes depending before him. The truth thereof being corroborated by ſome Circumſtances, a Report was made from the *Committee* to the Houſe upon the 15th, yet with all tenderneſs and reſpect to his Lordſhip, in regard, as the Chair-man declared, *it touched the Honour of a Great Man, ſo endued with all Parts, both of Nature and Art, as that he would ſay no more of him, being not able to ſay enough*: For which reaſons they deſired that all expedition might be uſed. Upon the 17th Sir *Robert Phelips* made a ſecond Report of other matters of the ſame nature charged upon the *Chancellor*. At which time Sir *Edward Sackville*, afterwards the Noble

Earl of *Dorſet*, Sir *Heneage Finch* Recorder of *London*, with ſome others, ſpake much in his Lordſhip's Defence. But at length it was reſolv'd, that the Heads of the Accuſation, ſhould be drawn up by the *Chair-man*, Sir *Edw. Coke*, Mr. *Noy*, and Sir *Dudley Digges*, and related to the *Lords*, without prejudice, at a *Conference*; which was accordingly perform'd upon *Monday* the 19th of this ſame Month; and after the Report of the Conference by the Lord *Treaſurer*, the Marquis of *Buckingham* preſented a Letter written to their Lordſhips by the *Chancellor* upon the ſame day, which is enter'd at large upon their Journal.

Towards the latter end of the Month the *Seſſion* was diſcontinued for ſome time, in hopes, as was thought, to ſoften the *Chancellor*'s Fall. But upon their Reaſſembling, more Complaints being daily repreſented, his Lordſhip abandon'd all Defence, and upon the 22d of *April* 1621, he ſent an Ingenious Confeſſion and Submiſſion to the *Houſe* of *Peers*, which has been Printed in ſeveral Books, but in none I preſume ſo correctly as in this, Copied alſo from the *Journal*. But their Lordſhips not thinking it particular or ſatisfactory enough, ſent him a *Charge* conſiſting of ſeveral *Articles*, requiring a Particular Anſwer: which he return'd ſoon after; and having thereby confeſſed ſome, denied others, and anſwer'd or explain'd the reſt, ſo as to take off the malignity of the offence, he concludes the whole in this manner.

" This *Declaration* I have made to your Lordſhips with a " ſound and ſincere mind, Humbly craving that if there " ſhould be any miſtake, your Lordſhips would impute it " to want of Memory, and not for any deſire of mine to " obſcure Truth, or palliate any thing. For I do again " confeſs, that in the Points charg'd upon me, though they " ſhould be taken, as my ſelf have declared them, is a great " deal of corruption and neglect: For which I am heartily and penitently ſorry, and ſubmit my ſelf to the Judg- " ment, and to the Grace and Mercy of this Court.

" For Extenuation, I will uſe none concerning the Mat- " ters themſelves: Onely, it may pleaſe your *Lordſhips* out " of your Nobleneſs, to caſt your Eyes of Compaſſion " upon my Perſon and Eſtate. I was never noted for any

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" avaricious Man; and the *Apoſtle* ſaith, *that Covetouſneſs*
" *is the root of all Evil.* I hope alſo, your Lordſhips do ra-
" ther find me in a State of Grace; for that in all theſe
" Particulars, there are few or none, that are not almoſt
" two years old; whereas thoſe that have a *Habit* of *Cor-*
" *ruption*, do commonly wax worſe: So that it hath plea-
" ſed Almighty God, to prepare me by Precedent Degrees
" of amendment to my preſent Penitency. And for my
" Eſtate, it is ſo poor and mean, as my care is now chief-
" ly to ſatisfie my Debts.

" And ſo, fearing I have troubled your Lordſhips too
" long, I ſhall conclude with an humble *Suit* unto you;
" that if your Lordſhips proceed to *Sentence*, your Sentence
" may not be heavy to my Ruin, but gracious, and mix'd
" with Mercy. And not onely ſo, but that you would be
" Noble Interceſſors for me to his Majeſty, likewiſe for his
" Grace and Favour.

Your Lordſhips humble Servant,
and Supplicant.

Fran. *St.* Alban.

The Lords taking this for a full and ingenuous Confeſſion, ſent ſeveral of their Members, to ſee if the *Chancellor* would own it to be his Hand, and abide by it, which he did in theſe Words; *My Lords*, It is my *Act*, my *Hand*, my *Heart*; I beſeech your Lordſhips to be merciful to a broken Reed. Upon which the *Peers* ſent to the Houſe of *Commons*, that they were ready to give Judgement, when they were willing to demand it. Which being done by their *Speaker* upon the third of *May* 1621, the Lord *Chief Juſtice* pronounced the following *Judgement* of the *Houſe* of *Peers*, againſt the Lord *Chancellor*, then abſent through Sickneſs.

That the Viſcount St. *Albans*, Lord *Chancellor* of *England*, ſhall undergo Fine and Ranſom of 40000 *l.* that he ſhall be Impri-

Impriſon'd in the *Tower*, during the King's Pleaſure: That he ſhall for ever be incapable of any Office, Place or Employment, in the State or Common-wealth; that he ſhall never ſit in *Parliament*, or come within the *Verge* of the *Court*.

The *Prince*, and ſome others endeavour'd to have mitigated the ſeverity of this Sentence, and many of the Lords, as it were excuſing the rigor thereof, did after tell his Lordſhip, that they knew they left him in good Hands.

In the *Relation* which I have given of this affair, I have omitted a particular account of the *Articles* and *Anſwers*, in reſpect of the length; and alſo, becauſe, that during the Seſſion of *Parliament*, which met in the beginning of this preſent year 1701, the whole Proceedings againſt the Lord *Chancellor* in the Houſe of Lords, were Publiſhed from the Journal. The *Reaſons* of the then *Search*, are obvious enough, but the *Copy* which was then taken, I preſume was ſurreptitiouſly Printed, I am ſure very incorrectly. The laſt *Article* therein was, *that his Lordſhip had given way to great Exactions in his Servants:* And he confeſſed, *it was a great neglect in him, that he looked to them no better.* This I the rather mention, becauſe thoſe Writers who excuſe the Maſter, lay the greateſt blame upon his Servants: And there's no doubt but that ſome of them were very guilty, and that their Lord had that Opinion of them, which it is reported, his Lordſhip in the time of theſe Troubles, ſignified in paſſing through a Room, where many of his Retinue riſing up to ſalute him; He ſaid, *Sit you down, My Maſters, your* Riſe *hath been* my Fall. And we are told by *Ruſhworth*, in the Firſt Volume of his *Hiſtorical Collections*, "That he treaſured up nothing for himſelf or Family, but "was over indulgent to his *Servants*, and connived at their "Takings, and their ways betray'd him to that Error: "They were profuſe and expenſive, and had at their com-"mand whatever he was Maſter of. The *Gifts* taken, were "for the moſt part for Interlocutory *Orders*; his *Decrees* "were generally made with ſo much *Equity*, that though "Giſts rendred him ſuſpected for Injuſtice, yet never any "*Decree* made by him was reverſed as unjuſt, as it hath "been obſerv'd by ſome, knowing in our *Laws*.

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To this, I ſhall onely add, what he alledges by way of *excuſe*, that great part of the Gifts, *&c.* were made as *Preſents*, in caſes where no *Suit* was depending, or a good while before they were begun, or after they were ended.

Upon this occaſion, Who can forbear to obſerve and lament, the Weakneſs and Infirmity of *Humane Nature?* To ſee a Man, ſo far exalted above the Common-Level of his Fellow Creatures, to ſink ſo far below it: To ſee a Man, who like *Seneca*, gave admirable Rules for the Conduct of Life, and condemning the avaricious purſuit after Riches; and what is unlike *Seneca*, contemning them in his own Perſon, and yet to be defiled thereby: To ſee a Man applauding Sir *George Villiers*, whilſt very young, for deſpiſing Money, where it croſſed Reaſon of *State* or *Virtue*, to take Money in his Mature Age, in Oppoſition to both, and to his own Deſtruction: Above all, to ſee a great Maſter of *Reaſon* and *Philoſophy*, who had been a Credit and Ornament to the *Reformed Religion*, to abate the Luſtre of his Example, by ſubmitting to a Temptation, which many of the Heathen *Philoſophers* had the Power to reſiſt. But as his Lordſhip had the *misfortune* to be made a Memorial for the greateſt and the wiſeſt, *to take heed leſt they fall*; ſo he hath the *good fortune*, (which he obſerves, attended three Famous *Writers*, fallen under the like Circumſtances) to have the remembrance of this Calamity, look'd on by *Poſterity* as a little *Picture* of *Night-Work*, remaining amongſt the Fair, and excellent *Tables* of his *Acts* and *Works*.

Before I leave this Subject, I ſhall take ſome notice of a Letter the Marquis of *Buckingham* writ to Sir *Lionel Cranfield*, ſoon after the accuſing of the *Chancellor*; Wherein he hop'd that God, who had given that *Lord* many other great Gifts, had alſo preſerv'd him from being guilty of ſuch Crimes: Yet he alſo hoped, the *Houſe* of *Commons* would wave their Application to the *Lords*, and go their direct way to the *King*, who both could and would do them Juſtice. And I remember Dr. *Heylyn*, in his Life of Arch-Biſhop *Laud*, and Mr. *Elſing*, in a Manuſcript Diſcourſe touching *Parliaments*, look'd upon the giving up of this great Miniſter to the Parliament, as a wrong Step made by the King, and a leading Card to others ſoon after. Yet the *Committee* ſeem'd to be

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of another Opinion, when they told the Peers that they followed ancient *Preſidents*, which ſhew'd that great Perſons had been accuſed for the like in Parliament. But from what has been ſaid, it may be obſerv'd how miſtaken the Editor of *Morery*'s Dictionary is, when he affirms under the Title of King *James*, and the Lord *Bacon*, that the Duke of *Buckingham* was the cauſe of the Lord *Chancellor*'s Downfall; nor do I know any Hiſtorian that aſſerts the ſame.

When the Great *Seal* was taken from this Lord, it was put into *Commiſſioners* Hands for ſome time, till it fell very unexpectedly to the Cuſtody of Dr. *Williams* the Dean of *Weſtminſter*. Upon the 10th of *July* 1621, the *King* declares to his *Privy-Council*, the reaſons of his Choice. *Firſt*, Becauſe of the *Deans* good Parts, wherewith Nature and Education had enabled him for publick Miniſtry, and the great Experience he had in *Chancery* Buſineſs under the Lord *Elleſmere*. *Secondly*, That being reſolved to reform that *Court*, and not to have a Lawyer; the Dean being young and active, might take pains in the ſame: And being intended but for a *Probationer* for a time, he might at the end be rewarded with a better Biſhoprick, than what he ſoon deſigned him: For which purpoſe, he reſolved the Dean ſhould hold the Place but a year and a half, unleſs it ſhould prove very inconvenient to Buſineſs; and then after, ſo much longer time, poſitively to reſign the ſame. His Majeſtie further declared, That he ſhould be aſſiſted in Matters *Legal*, by the two *Chief Juſtices*, Judge *Dodderidge* and *Hutton*; and that the placing of Juſtices of *Peace*, he would reſerve to himſelf. Theſe *Reaſons* I have extracted from the *Act* of *Council*; but whether they were ſuggeſted by the Dean himſelf, or were the reſult of His Majeſties own or others thoughts, I ſhall leave to the Reader to judge from what has been ſaid, and from what Biſhop *Hacket* declares in the *Hiſtory* of the Keeper's Life. That to break the force of *Envy*, likely to attend that Action, he deſired His Majeſty to abridge the Grandeur of the Place, by providing that no Chancellor for the future, might continue above three years, and that he himſelf might be in the nature of a Probationer for one year and a half: That he might have a Learned Maſter of the *Rolls* to ſit with him, and the aſſiſtance

ance of two Judges: But that all theſe Propoſals were rejected and made ineffectual, and probably by ſome curious Perſons, to ſee how the *Keeper* could ſuſtain himſelf. But I ſhall not digreſs any further, the Lord *Keeper's* Life and Actions having been repreſented by his Friends and Enemies, whereby he does appear to have been the Founder of ſome Noble *Benefactions*, and Maſter of great *Learning* and *Abilities*, tho' like moſt other great Jewels, he was not without his Flaws.

After the Judgement given againſt the Lord Chancellor, and a ſhort Impriſonment in the *Tower*, he retired from the *Light* of an Active Life, which he had been called to much againſt his *Genius*, to the *Shade* of Contemplation, which he had always loved. And here I ſhall conſider him ſpending the remainder of his days in Privacy, which in the reſpect of the Works he Reviſed or Compoſed, may be eſteemed *Nobile Quinquennium*, procuring as much Honour to his Name, and more benefit to the World, than the moſt Celeted Parts of his Life.

The Firſt, Or at leaſt the greateſt Act of Kindneſs the King extended to him, was the releaſing the Parliamentary *Fine*, and granting it to ſome Friends of his Lordſhips, which I conceive was done, in order to give him a little reſpite from his Creditors: To whom I have ſomewhere ſeen, that he paid 8000 *l.* after his Fall. And he relates in one of the following Letters, that he had ſpred all his Plate and Jewels upon poor Men. Upon the 30th of *July* 1624, he implores of his Majeſty a total Remiſſion of his Sentence, to the end that Blot of Ignominy might be removed from him, and from his Memory with Poſterity. Which Requeſt I ſuppoſe was granted, becauſe I find he was Summon'd to Parliament, in the 1ſt. year of King *Charles*.

It may be preſum'd that the preſſing of his Creditors, and the ill payment of his Penſions upon his Diſgrace, compell'd him to write to the King the 136th, and ſome other complaining Letters: But that he dyed in ſo low a Condition, as *Howel* has repreſented in one of his Letters, and from him Monſieur *Bayle* has inſerted in his *Dictionary*, and other Learned Perſons in their Works, is by no means to be

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granted. For tho' his liberality and neglect of treaſuring up Money, and his great expence in making of Experiments, ſeem to have exhauſted the Gains of his Profeſſion and Preferments; Yet Dr. *Rawley*, his Domeſtick *Chaplain*, and a Perſon much truſted by his Lordſhip, aſſures us, the King had given him out of the *Broad Seal*, and out of the *Alienation* Office to the value of 1800 *l. per Annum*, which with his Manor of *Gorhambury*, and other Lands adjoyning, amounting to a third part more, he retained to his Dying-day: And ſo I ſuppoſe he did the Profits of the Office of *Regiſter* in the Star-Chamber, computed at 1600 *l. per Ann.* which was granted to him in Reverſion, by Queen *Elizabeth*, tho' it fell not unto him, till towards the latter end of Her Succeſſors Reign. In his laſt Will, which bears date the 19th of *December* 1625, (beſides what was ſetled, and left to his Lady, anſwerable to Her Quality;) He gives ſeveral large Charities and Legacies to his Friends and Servants, and makes an Eſtimate of his Eſtate, by which Debts and Legacies might be ſatisfied: And appoints that out of the remainder, a *Lecture* ſhould be founded in each *Univerſity* for *Natural Philoſophy*, and the *Sciences*, which he hoped would at leaſt amount to 200 *l.* a year a-piece: Wherein he directs his Truſtees to have regard to the meaſures Sir *Henry Savile* had lately taken in his, and intreats his noble and conſtant Friend the Duke of *Buckingham*, to be an Overſeer of his Will, and that his Executors would take ſome pains in the performance; that conſidering what he had been, his good *Mind* by their good *Care*, might effect that *Good Work*. Yet Monſieur *Sorbier* takes upon him to tell the World, as from Sir *William Boſwel*, a Friend of my Lords, that his Lordſhip made this Will by way of *Gallantry*, and that he therein left Four hundred thouſand *Livres* to an imaginary *College*; whereof he had deſign'd the *Plan* in his new *Atlantis*. But this was an Imagination more wild and groundleſs, than any that had grown up in *Sorbiers* Brain. It was well known, that my Lord *Bacon*, in the *Fable* of the New *Atlantis*, exhibited a Model, rather poſſible to be effected, than probable to be ever attempted by the greateſt and moſt opulent Prince. It is as true his Lordſhips Executors declined to act, finding I ſuppoſe the

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Debts greater, and the Eſtate leſs than the Teſtator conceiv'd: So that Adminiſtration was granted to Mr. *Meauty*'s, and another of his Creditors.

I ſhall conclude this Matter, with this ſhort Reflection, That if my Lord St. *Alban*'s occaſions, made him ſometime write to the King in a preſſing and ſupplicating manner, yet the many Works he compoſed, and deſigned, during his Retirement, ſhew that his thoughts were ſtill Free, Vigorous, and Noble. What thoſe were in particular, and upon what account Written, the Reader will in ſome meaſure collect from the 141ſt. Letter, ſent to the Biſhop of *Wincheſter*. But conſidering the Place in which I write, I cannot ſo far forget the *Profeſſion* he honoured, as to paſs over ſo lightly the following Paper, containing an *Offer* to His Majeſty, of a *Digeſt* to be made of the *Laws* of *England*. This was what he had propoſed before, in a Diſcourſe touching the *Recompilement* and *Amendment* of the *Laws*, Printed in the *Reſuſcitatio*, and at the time when he was *Attorney* General, and ſoon after the time that he was made a *Privy-Counſeller*: To the end, that it might appear, that the more leaſure he had from *private Cauſes*, the more time he was deſirous to Dedicate to *Publick Service*. And now that he was come to enjoy a much greater leaſure, he renew'd his Deſires of endeavouring to give a *Form* to thoſe *Laws*, worthy of their *Matter* and *Subſtance*: For which he highly commends them in, the Treatiſe I have been ſpeaking of, Publiſhed amongſt ſome *Miſcellanies* in 1629, and ſince that time in ſeveral other Books. But this affair requiring great aſſiſtance, which he perceived was not like to be afforded, he laid it aſide; Leaving Poſterity occaſion to lament, from theſe two excellent Tracts, the want of ſo great a *Workman* in ſo great and uſeful a *Work*. Yet if the multiplying of concurring and diſagreeing *Statute-Laws*, were thought ſo great a Grievance by him then, What would he now ſay, if he were to live in this Age? In which we may well ſay, *Primò Vitijs, modò Legibus Laboramus*. Since the times of my Lord *Bacon*, there hath appeared, to the Honour of his Nation, his Religion, and Profeſſion; a Gentleman, endued with a great *Genius* and Capacity, and adorn'd with all the

Qualities, that could render a *Magiſtrate*, belov'd, eſteem'd, and admir'd, the late Lord *Chief Juſtice Hale*; who in his excellent *Preface* to *Rolle*'s Abridgement, hath left us his ſenſe of this Matter, in theſe Words. "It were to be wiſh-"ed, that ſome compleat *Corpus Juris Communis*, were ex-"tracted out of the many Books of our *Engliſh Laws*, for "the publick uſe, and for contracting the Laws into a "narrow compaſs and method, at leaſt for Ordinary "Study. But this is a Work of time, and requires many "Induſtrious, and Judicious Hands, and Heads to aſſiſt in "it.

Of the three following *Letters*, which were Written in *Latine*, upon his Lordſhips preſenting to the *Univerſities* the new Edition of his *Advancement* of *Learning*; I need now ſay nothing, having already ſaid ſo much of that Work. But of the onely *Letter* of this Collection in *French*, perhaps I may be thought to enlarge my ſelf. It was written to the Marquis *D'Effiat*, Ambaſſador from the *French* King, and ſent by the Cardinal *de Richelieu*, about the time he had entered upon his Publick Miniſtry, to conclude the *Treaty* of *Marriage* between the Prince of *Wales*, and the Princeſs *Henrietta Maria* of *France*. The Ambaſſador being introduced to the Lord St. *Albans*, at a time when weakneſs had confined him to his Bed, ſaluted him with this high Expreſſion. *Your Lordſhip hath been to me like the* Angels, *of whom I have read and heard much, but never ſaw them.* To which he replied, *If the Charity of others compare me to an* Angel, *mine own Infirmities tell me I am a Man.* Beſides, this Gentleman, Dr. *Rawley* declares, that ſeveral Perſons of *Quality* croſſed the Seas, on purpoſe to ſee, and converſe with him. And I remember *Gaſſendus* informs us, That the Celebrated *Monſieur de Piereſc*, lamented his neglect of enjoying ſo great a Satisfaction.

From the time of the meeting of theſe two Noble Perſons, they contracted an intimate Friendſhip, giving each other the Appellation of *Father* and *Son*; as will appear by the aforeſaid Letter, ſent by the Lord St. *Alban*, together with his Book of *Eſſays*, Reprinted in the year 1625, and enlarged both in *Number* and *Weight*. And ſurely it is a Work worthy the Additional *Title* he had then given it, of

Coun-

Counſels Civil and Moral: Which altho' they were the Reſult, and effect of his more eaſie Contemplations, yet if nothing more had been left of this *Author*, thoſe had been ſufficient of themſelves, to declare his great Depth and Capacity, and inſight into the Concerns of Humane Life: And which he obſerves, had been of all his *Works* the moſt Current, as coming home to Mens *Buſineſs* and *Boſomes*. The Marquis had before cauſed the *Advancement* of *Learning* to be Tranſlated into his own Language: whether he did the ſame by theſe *Eſſays*, I know not, but that they were render'd into *French*, *Italian*, and by his Lordſhip, with ſome aſſiſtance of *Benj. Johnſon*, &c. into *Latine*, is ſufficiently evident.

The Firſt *Edition* of theſe *Eſſays*, which was Publiſhed in the year 1597, I have never ſeen: In this laſt he Dedicated them to the Duke of *Buckingham*; by reaſon whereof the *Epiſtle* prefixed to the Edition in 1612, and Written to his Brother in Law, Sir *John Coneſtable*, is in a manner loſt, which I ſhall endeavour to recover by giving it a place herein.

" My laſt *Eſſays*, I dedicated to my *dear Brother*, Mr. *An-*
" *thony Bacon*, who is with God. Looking amongſt my
" Papers this vacation, I found others of the ſame nature:
" Which if I my ſelf, ſhall not ſuffer to be loſt, it ſeemeth
" the World will not, by the often Printing of the former.
" Miſſing my *Brother*, I found you next; in reſpect of Bond
" of near *Alliance*, and of ſtraight *Friendſhip* and Society,
" and particularly of Communication in *Studies:* Where-
" in I muſt acknowledge my ſelf beholding to you. For
" as my *Buſineſs* found *Reſt* in my *Contemplations*, ſo my
" *Contemplations* ever found *Reſt* in your loving *Conference*
" and *Judgement*. So wiſhing you all good, I remain
" your, *&c.*

This being the laſt *Work* of my Lord St. *Albans*, which I ſhall have occaſion to conſider in theſe Diſcourſes; I ſhall ſum up all that I have to ſay upon that Subject, with a wiſh: That as Dr. *Rawley* Publiſhed many of his Lordſhips *Latine* Compoſitions in a large *Folio*, in the year 1638, and of his *Engliſh* about twenty years after, ſo Poſterity might be gratified with ſeeing the reſt that are much ſcatter'd, united

united together, by reducing the whole into juſt and methodical Volumes: That the Authors memory might be vindicated from a pretended Edition of all his *Latine* Works, at *Frankfort* in 1665, tho' a very faulty one and unworthy of his Character. I am perſwaded, that whoever ſhall ſeriouſly reflect upon his *Labours*, will perceive, that tho' many of his Profeſſion, as well as others, ſeem to place themſelves a little too near in the Centre of their thoughts: He will be found to have had the Benefit of the whole *Nation*, nay of all Mankind in his *view*, and in his *Deſires*: Inſomuch, that tho' he left no Children by his Lady, it has been obſerved, that he left all Men, eſpecially Learned Men, his Heirs. "Deſigning his Endeavours, according to Dr. *Heylin*, to the perfecting of the "*Works* of *Nature*, or rather improving *Nature* to the beſt "advantages of *Life*, and the common Benefit of Mankind. "Pity it was, *ſaith he*, that he had not been entertained "with ſome liberal Salary, abſtracted from all affairs both "of Court and Judicature, and furniſhed with ſufficiency "both of means and helps, for the going on in his Deſign; "which had it been done, he might have given us ſuch a "Body of *Natural Philoſophy*, and made it ſo ſubſervient to "the Publick Good, that neither *Ariſtotle*, nor *Theophraſtus* "amongſt the Ancients, nor *Paracelſus*, or the reſt of our "latter Chymiſts would have been conſiderable.

Having hitherto taken ſome Proſpect of this great Man in his Life and Actions, his Studies and Contemplations; I ſhall, from the laſt *Letter* in this *Collection*, and the laſt he ever wrote, give ſome account of the manner, the place, and the time of his Death. His Lordſhip had been long of an infirm Conſtitution, and was about that time thought to be recovering from a dangerous and tedious Sickneſs. But repairing caſually to the Earl of *Arundel*'s Houſe at *High-gate*, he fell ill of a gentle *Fever*, accidentally accompanied with a great Cold, and after about a Weeks continuance there, he died by a Defluxion of *Rheume*, which fell upon his Breaſt, early in the Morning of *Eaſter-Day*, being the 9th. of *April*, in the year 1626, Aged *Sixty five* Years *two* Months, and about *fourteen* Days. And was buried according to his deſire, expreſſed in his laſt *Will*, in St. *Michaels*

chaels Church at St. *Albans*, becauſe the Body of his *Mother* was there interred; and becauſe it was the onely *Pariſh Church* then remaining within the Precincts of Old *Verulam*: Where Sir *Thomas Meauty's*, formerly his *Secretary*, and afterwards *Clerk* of the *Privy-Council*, out of Gratitude and Honour to his Memory, erected a *Monument* of White Marble, repreſenting his full *Portraiture*, ſitting in a Contemplative Poſture, with the following *Epitaph*, compoſed by that rare wit and accompliſh'd Gentleman Sir *Henry Wotton*.

Franciſcus Bacon, Baro de Verulam,
S. Albani Vicecomes:

Seu,
Notioribus Titulis
Scientiarum Lumen, Facundiæ Lex,
Sic Sedebat.

Qui poſtquam Omnia Naturalis Sapientiæ,
Et Civilis Arcana evolviſſet,
Naturæ Decretum explevit:

Compoſita Solvantur,

Anno Dom. MDCXXVI.
Ætatis LXVI.

Tanti viri Memoriæ, Thomas Meautus, *Superſtitis Cultor,*
Defuncti Admirator.
H. P.

That is,

Francis Bacon, Baron of *Verulam,* and Viſcount St. *Alban.*
Or in more Conſpicuous Titles.
The *Light* of the Sciences, the *Law* of Eloquence,
repoſed himſelf on this manner.

Who, after he had unveil'd all the Myſteries of Natural and Civil Wiſdom, obey'd the Decree of Nature,

ture, which diſſolv'd the Union of his Soul and Body, in the Year of our Lord 1626, and in the 66th year of his Age.

To the *Memory* of ſo great a Man, *Thomas Meautys*, a Reverencer of him whilſt alive, and an admirer now dead, hath erected this *Monument*.

The Univerſity of *Cambridge* condol'd the loſs of ſuch a Son, as many other Gentlemen did the loſs of ſuch a Father in Learning: But the *Copies* of *Verſes* which were made upon that occaſion, being ſent to Dr. *Rawley*, he ſuppreſſed many of them from the Light; not becauſe they did not very well deſerve to be ſeen, but becauſe, as he ſaith himſelf, his Deceaſed Lord was wont to be pleaſed not with *Number*, but with *Weight*.

It may be now deſired, that ſome juſt Deſcription and Character ſhould be given of this eminent Man; but the *Image* of his Perſon, which was once ſo obvious to every eye, is now ſo obſcure to mine, the Repreſentation thereof in *Prints* being far from the Beſt, and the onely *Picture* in Colours I remember to have ſeen, being much inferiour to them, I ſhall borrow what aſſiſtance I can from the Pens of others. He was of the midling Stature of Men, and of Preſence grave and comely: "Having, as the Ingenious "and Learned Gentleman Mr. *Evelyn* obſerves in his late "Diſcourſe of *Medals*, a ſpacious *Forehead* and piercing *Eye*, "always (as he had been told by one that knew him well) "looking upwards, as a *Soul* in ſublime *Contemplation*, and "as the Perſon who by ſtanding up againſt *Dogmatiſts*, was "to emancipate the long and miſerable Captivated *Philoſo-*"*phia*, which hath ever ſince made ſuch *Conqueſts* in the "Territories of *Nature*.

But how defective ſoever I am in this *Portrait* of his *Perſon*, it would be vaſtly more apparent, ſhould I attempt to deſcribe his *Mind*; that *Forma æterna*, which can onely be ſeen, in the Lineaments his own Head and Hand has drawn: For ſince he was a Man of a moſt ſublime and exalted *Genius*, comparable to any theſe latter Ages of the World

World has known, who beſides a quick and lively *Apprehenſion*, a ſtrong and faithful *Memory*, was endued with a clear and ſolid *Judgement*, and an *Elocution* which was the Glory of his Times, and almoſt inimitable: It would be a preſumption in me, ſo far remov'd from his Abilities, to think my ſelf able to conceive a full *Idea* of his worth, much more to expreſs it to the *World*. I might inſtead thereof, after the manner of ſome, rather weary than ſatisfie the Reader, ſhould I bring to his view, thoſe many *Eulogys* which have been given his Lordſhip by Domeſtick and Foreign Writers, and which my ſelf have ſeen. But to what hath been already done of that nature, I hope no Perſon will be diſpleaſed to ſee what follows, under the Pens of two Perſons, who remembred him living, and two others, I preſume, well acquainted with his Works.

" There happened in my Time, ſaith the Learned Poet *Ben.* " *Johnſon*, in his *Diſcoveries*, one Noble Speaker, the Lord *Ve-* " *rulam*, who was full of Gravity in his ſpeaking. His Lan- " guage, where he could paſs by a Jeſt, was nobly cenſo- " rious. No Man ever ſpake more neatly, more preſſly, " more weightily, or ſuffer'd leſs emptineſs, leſs idleneſs in " what he utter'd. No member of his *Speech*, but conſiſted " of his own *Graces*. His Hearers could not cough or look " aſide without loſs: He commanded where he ſpoke, and " had his Judges angry and pleaſed at his Devotion. No Man " had their affections more in his Power; the fear of every " Man that heard him, was, leſt he ſhould make an end. *And* " *afterwards*, Lord *Egerton* the *Chancellor*, a great and grave *Ora-* " *tor*, &c. But his learned and able, tho' unfortunate *Succeſſor* " the Lord *Bacon*, is he who hath filled up all Members, and " perform'd that in our Tongue, which may be compared " or prefer'd, either to Inſolent *Greece*, or Haughty *Rome*. " *In ſhort*, within his view, and about his time, were all the " *Wits* born, that could *Honour* a *Language*, or could help " *Study*. Now things daily fall; *Wits* grow downward, and " *Eloquence* goes backward: So that he may be named, and " ſtand as the Mark or ἀκμὴ of our *Language*.

" I have ever obſerv'd it to have been the Office of a " wiſe Patriot, among the Greateſt Affairs of *State*, to

 " take

" take care of the *Commonwealth* of *Learning*. For Schools
" they are the *Seminaries* of State; and nothing is worthier
" the Study of a Stateſman, than that Part of the *Republick*,
" which we call the *Advancement* of *Letters*. Witneſs the
" Care of *Julius Cæſar*, who in the Heat of the Civil War,
" writ his Books of *Analogy*, and Dedicated them to *Tully*.
" This made the late Lord *St. Alban* Entitle his Work *No-*
" *vum Organum*: Which though, by the moſt of Superficial
" Men, who cannot get beyond the Title of *Nominals*, it
" is not penetrated, nor underſtood; it really openeth all
" Defects of Learning whatſoever, and is a Book

Hor. de Art. Poet. *Qui Longum noto Scriptori prorogat ævum.*

" My conceit of his *Perſon*, was never increa-
" ſed towards him, by his *Place* or *Honours*. But I have
" and do reverence him for the *Greatneß*, that was onely
" *proper to himſelf*; in that he ſeem'd to me ever by his *Works*,
" one of the greateſt Men, and moſt worthy of admiration,
" that had been in many Ages. In his adverſity I ever pray'd
" that God would give him Strength, for Greatneſs he could
" not want. Neither could I condole in a word or ſyllable
" for him; as knowing no *accident* could do harm to *Virtue*,
" but rather help to make it *Manifeſt*.

After, Mr. *Osborn*, in the *ſecond* Part of his *Advice* to his *Son*, hath recommended an Univerſal Inſpection into the *Sciences*, as moſt becoming a *Gentleman*, unfix'd in a ſettled *Calling*. *He goes on*, " And my Memory neither doth, nor
" I believe poſſible, ever can direct me towards an *Example*
" more ſplendid in this kind, than the Lord *Bacon*, Vicount
" *St. Albans*. Who in all Companies did appear a good *Pro-*
" *ficient*, if not a *Maſter* in thoſe *Arts* entertain'd for the Sub-
" ject of every ones *Diſcourſe*. So as I dare maintain, without
" the leaſt affectation of *Flattery* or *Hyperbole*, that his moſt
" caſual *Talk* deſerveth to be written, as I have been told
" his firſt or fouleſt *Copies* required no great labour to ren-
" der them competent for the niceſt Judgements. A high
" Perfection, attainable onely by *Uſe*, and treating with
" every Man in his reſpective Profeſſion, and what he was
" moſt

" moſt vers'd in. So as I have heard him entertain a Coun-
" try *Lord* in the proper *Terms*, relating to *Hawks* and *Dogs*;
" and at another time out-cant a *London-Chyrurgeon*. Thus he
" did not onely learn himſelf, but gratifie ſuch as taught
" him; who looked upon their Callings as Honoured
" through his notice. Nor did an eaſie falling into *Argu-*
" *ments* (not unjuſtly taken for a *Blemiſh* in the moſt) appear
" leſs than an *Ornament* in him; the ears of the Hearers re-
" ceiving more gratification than trouble; and ſo no leſs
" ſorry, when he came to conclude, than diſpleas'd with
" any that did interrupt him. Now this *general knowledge* he
" had in all things, Husbanded by his *Wit*, and Dignified
" with ſo *Majeſtical a carriage* he was known to own, ſtruck
" ſuch an awful Reverence in thoſe he queſtion'd, that they
" durſt not conceal the moſt intrinſick part of their *Myſteries*,
" for fear of appearing ignorant or ſaucy. All which ren-
" dred him no leſs neceſſary than admirable, at the *Council-*
" *Table*; where in reference to *Impoſitions*, *Monopolies*, &c.
" the meaneſt Manufactures were an uſual Argument. And
" as I have heard, did in this Baffle the Earl of *Middleſex*,
" that was born and bred a *Citizen*, &c. yet without any
" great, if at all, interrupting his other *Studies*, as is not
" hard to be imagin'd of a quick *Apprehenſion*, in which he
" was *Admirable*.

The two ſucceeding *Characters*, I am to mention, were deſcribed upon the ſame occaſion. The *One* by the preſent Biſhop of *Rocheſter*, in his Excellent *Hiſtory* of the *Royal Society* at *London*, Inſtituted for the promoting of *Natural* and *Experimental Knowledge*, upon the Plan and *Rules* laid down by my Lord *Bacon*. The *other* in a *Poem* of the Admirable Mr. *Cowley*'s to the ſaid *Society*, whereof I have onely tranſcribed the Fifth *Stanza*; tho' there is much more ſaid by way of Encomium on this Lord.

—" The *third* ſort of *New Philoſophers*, have been thoſe who
" have not onely diſagreed from the *Ancients*, but have alſo
" propos'd to themſelves the right courſe of ſlow and ſure
" *Experimenting*; and have proſecuted it as far as the ſhort-
" neſs of their own Lives, or the Multiplicity of their Af-
" fairs, or the narrowneſs of their Fortunes, have given

 " them

" them leave. Such as theſe we are to expect to be but few.
" For they muſt deveſt themſelves of many vain Conceptions, and overcome a thouſand falſe Images, which lie like
" Monſters in their way, before they can get as far as this.
" And of theſe I ſhall onely mention one *Great* Man, who
" had the true Imagination of the whole extent of this *Enterprize*, as it is now ſet on foot, and that is the Lord *Bacon*. In whoſe Books there are every where ſcatter'd, the
" beſt *Arguments* that can be produc'd for the Defence of
" *Experimental Philoſophy*; and the beſt *directions* that are
" needful to promote it. All which he has already adorn'd
" with ſo much art, that if my Deſires could have prevailed with ſome excellent Friends of mine, who engaged
" me to this Work, there ſhould have been no other Preface to the *Hiſtory* of the *Royal Society*, but ſome of his
" *Writings*. But, methinks, in this one Man, I do at once find
" enough occaſion, to admire the ſtrength of Humane Wit,
" and to bewail the weakneſs of a mortal condition. For, is it
" not wonderful, that he, who had run through all the Degrees of that *Profeſſion*, which uſually takes up Mens whole
" time; who had *Studied* and *Practiſed*, and *Governed* the
" *Common Law*: Who had always lived in the Crowd, and
" born the greateſt Burden of *Civil* Buſineſs; ſhould yet
" find leiſure enough for theſe *retired* Studies, to excell all
" thoſe Men who ſeparate themſelves for this very purpoſe?
" He was a *Man* of ſtrong, clear, and Powerful Imaginations: His *Genius* was ſearching, and inimitable: And of
" this I need give no other Proof than his *Style* it ſelf; which
" as for the moſt part, it deſcribes Mens *Minds*, as *Pictures*
" do their *Bodies*; ſo it did *His*, above all Men living. The
" *Courſe* of it vigorous and Majeſtical: The *Wit* bold and familiar: The *Compariſons* fetch'd out of the way, and yet
" the moſt eaſie: In all expreſſing a *Soul* equally skill'd in
" *Men* and *Nature*.

To the ROYAL SOCIETY.

STANZA V.

From theſe, and all long Errors of the Way,
In which our wandring Predeceſſors went,
And like th' old *Hebrews*, many years did ſtray
In Deſarts but of ſmall extent,
BACON, like *Moſes*, led us forth at laſt,
The Barren Wilderneſs he paſt,
Did on the very Border ſtand
Of the bleſt promis'd Land,
And from the *Mountains* Top of his exalted *Wit*,
Saw it himſelf, and ſhew'd us it.
But *Life* did never to one Man allow.
Time to *Diſcover* Worlds, and *Conquer* too;
Nor can ſo ſhort a Line ſufficient be,
To fathom the vaſt Depths of *Nature*'s Sea.
The *Work* he did, we ought t' admire,
And were unjuſt, if we ſhould more require
From his few years, divided 'twixt th' exceſs
Of Low *Affliction*, and High *Happineſs*:
For who on Things remote can fix his Sight,
That's always in a Triumph, or a Fight?

I have now made ſo full a Point, and I believe ſo well Entertain'd the Reader with theſe Relations of others, that I cannot eaſily prevail with my ſelf to continue my own. But conſidering what hath been ſaid of this Noble Lord in the middle and latter part of his Life, may raiſe in ſome a Deſire to look a little into the Former, I ſhall rather act a prepoſterous Part, than refuſe to gratifie ſo reaſonable an Inclination.

He was Born upon the 22d of *January*, in the year $156\frac{0}{1}$, at *York-Houſe* near the *Strand*, then the Reſidence of his Father, Sir *Nicholas Bacon*, Lord Keeper of the Great *Seal*; whom the Renown'd Chief Juſtice *Popham* affirm'd to have been

been the greateſt and ableſt Miniſter of his Time. His Mother was one of the Six Daughters of Sir *Anthony Cook*, Preceptor to King *Edward* the Sixth, and all Celebrated among their other Qualifications, for an exact knowledge of the *Greek* and *Roman* Languages. Of this ſecond Marriage the *Lord Keeper* had onely two Sons; *Francis* the youngeſt of them was ſent very early to *Trinity-College* in *Cambridge*, where he ſoon paſſed through the *Circle* of the *Arts*. From the Univerſity he attended Sir *Amias Paulet*, the Queen's *Ambaſſador* into *France*, by whom he was diſpatched to her Majeſty, which Part he diſcharg'd with great Approbation. But his Father dying in the year 1579, before he had made that Proviſion for this Son he intended, he came again into *England*, and fix'd himſelf at *Greys-Inn*, where he ſpent a great Part of his Life: Retiring ſometimes to his Pleaſant Seat at *Gorhambury* near *St. Albans*, which deſcended to him, by the Death of his deareſt Brother Mr. *Anthony Bacon*.

But his Abilities ſurmounted all the Difficulties of his firſt Fortunes, rendring him ſo eſteem'd, that he was whilſt very young brought into the *Parliament*-Houſe; in thoſe Aſſemblies he ſoon became eminent, and ſo continued during the Reign of Queen *Elizabeth*. Which brings me to the Time where this Diſcourſe begins, I ſhall there conclude the ſame. Perſwading my ſelf, that if any Perſon ſhall think fit to do the like Honour to the *Engliſh*, that *Monſieur Perrault* hath done to the *French*, of the *Century* ſo lately paſs'd; my Lord *Bacon*'s Virtues and good Qualities will be eſteem'd ſo much ſuperior to his Defects, that none will deny him, an early Place among the moſt *Illuſtrious Men* of that *Age*.

LET-

LETTERS
AND
MEMOIRES,
OF
Sir FRANCIS BACON.

LETTERS
AND
Memoires, &c.

I.

To Mr. Fowlys. (*a*)

SIR,

THE Occaſion awaketh in me the remembrance of the conſtant and mutual good Offices, which paſſed between my Good Brother and your ſelf; whereunto (as you know) I was not altogether a Stranger: Tho' the time, and deſign, (as between Brethren) made me more reſerved. But well do I bear in mind the great Opinion which my Brother (whoſe Judgment I much reverence) would often

(*a*) Upon the death of Queen *Elizabeth*, Mr. *Fowlys* was ſent out of *Scotland* with Letters to divers of the Lords, which were of her Majeſty's *Privy Council*; ſoon after whoſe arrival the Lord *Treaſurer*, the Lord *High Admiral*, and Sir *Robert Cecil* Principal *Secretary* of *State*, return'd a large Letter of Thanks, and of Advice to the King concerning the preſent poſture of Affairs. He was afterwards Created a Baronet by the Name of *Sir David Fowlys* of *Ingleby* in the North-Riding of *York-ſhire*, where he had Seated himſelf, and where his Poſterity now remaineth.

expreſs to me, of your Extraordinary Sufficiency, Dexterity, and Temper, which he had found in you, in the Buſineſs and Service of the *King*, our *Sovereign Lord* (*b*). This latter bred in me an Election, as the former gave an Inducement for me, to addreſs my ſelf to you; and to make this ſignification, of my deſire, towards a Mutual Entertainment of good Affection, and Correſpondence, between us; Hoping, that both ſome good effect may reſult of it, towards the *King's* Service; And that for our Particulars, though Occaſion give you the precedence of furthering my being known, by good note, unto the King; ſo no long time will intercede, before I, on my part, ſhall have ſome means given, to requite your favours, and to verifie your Commendation. And ſo with my Loving Commendations, good *Mr. Fowlys*, I leave you to *God's* Goodneſs. From *Grays-Inn*, the 27th of *March* 1603.

(*b*) Mr. *Anthony Bacon*, the Elder and onely Brother to Sir *Francis Bacon* of the whole Blood, was ſaid to have been equal to him in height of Wit, tho' inferior to him in the Endowments of Learning and Knowledge; and by Sir *Henry Wotton*, that he was a Gentleman of impotent Feet, but of a nimble head, through whoſe Hands ran all the Intelligences with *Scotland*.

II.

To Mr. Fowlys.

Mr. Fowlys,

I Did write unto you yeſterday, by *Mr. Lake*, (who was diſpatched hence from their *Lordſhips*) a Letter of reviver of thoſe Sparks of Former Acquaintance between us, in my Brother's time: And now, upon the ſame confidence, finding ſo fit a Meſſenger, I would not fail to ſalute you; hoping it will fall out ſo

ſo happily, as that you ſhall be one of the King's Servants, which his *Majeſty* will firſt employ here with us; where, I hope, to have ſome means, not to be barren in Friendſhip towards you.

We all thirſt after the King's coming, accounting all this but as the dawning of the day, before the riſing of the Sun, till we have his preſence. And though now his *Majeſty* muſt be *Janus Bifrons*, to have a face to *Scotland*, as well as to *England*, yet, *Quod nunc inſtat agendum:* The expectation is here, that he will come in *State*, and not in *Strength (a)*. So for this time I commend you to *God's* Goodneſs. 28. *March* 1603.

(*a*) This is what my *Lord Bacon*, in his *Hiſtory* of the Reign of *King Henry* the *Seventh*, obſerves to have been done by that wiſe Prince in order to quiet the Fears of the People, and diſperſe the conceit of his coming in by *Conqueſt*.

III.

To Sir Thomas Chaloner. (*a*)

SIR,

FOR our Money-matters, I am aſſured, you received no inſatisfaction; for you know my Mind, and you know my Means; which now, the openneſs

(*a*) Sir *Thomas Chaloner*, was Son to Sir *Tho. Chaloner* who behaved himſelf with great Valour under the Commands of the Emperour *Charles the Fifth*, and the Duke of *Somerſet*, and equal prudence in the Courts of the *Emperour* and King of *Spain*; whither he was ſent Ambaſſador in the beginning of the Reign of Queen *Elizabeth*. He was, like unto his Father, a Gentleman of great Parts and Abilities, to whoſe Care King *James* committed the Tuition of his Son Prince *Henry*, upon his coming into *England*. Sir *Thomas* having a few years before, made the firſt diſcovery of *Alum-Mines* in this Nation, at or near *Gisborough* in *York-ſhire*; where ſome of his Name and Family doth ſtill continue. He ſurvived his Royal Pupil juſt three years, dying in *November* 1615.

of the time, cauſed by this bleſſed conſent, and peace, will encreaſe: and ſo our agreement, according to your time, be obſerved. For the preſent, according to the *Roman Adage*; (that *one Cluſter of Grapes ripeneth beſt beſides another*;) I know, you hold me not unworthy, whoſe mutual Friendſhip you ſhould cheriſh: And I, for my part, conceive good hope, that you are likely to become an acceptable Servant to the King our Maſter. Not ſo much, for any way made heretofore, (which, in my Judgment, will make no great Difference) as for the ſtuff and ſufficiency, which I know to be in you; and whereof, I know, his Majeſty may reap great Service. And therefore, my general requeſt is, that according to that Induſtrious vivacity, which you uſe towards your Friends, you will further his Majeſty's good conceit and inclination towards me; to whom words cannot make me known, neither mine own, nor others; but time will, to no diſadvantage of any, that ſhall forerun his Majeſty's Experience, by your Teſtimony and Commendation. And though Occaſion give you the precedence of doing me this ſpecial good Office; yet I hope, no long time will intercede, before I ſhall have ſome means, to requite your favour, and acquit your report. More particularly, having thought good to make Oblation of my moſt humble Service to his Majeſty, by a few Lines, I deſire your loving care and help, by your ſelf, or ſuch means as I refer to your diſcretion, to deliver and preſent the ſame to his Majeſty's hands. Of which Letter, I ſend you a Copy, that you may know what you carry; and may take of *Mr. Mathew*, the Letter it ſelf; if you be pleaſed to undertake the delivery. Laſtly, I do commend to your ſelf, and ſuch your Courteſies, as occaſion may require, this Gentleman, Mr. *Mathew*, Eldeſt

deſt Son to my *Lord Biſhop* of *Dureſme*, and my very good Friend, aſſuring you that any Courteſie, you ſhall uſe towards him, you ſhall uſe to a very worthy young Gentleman, and one, I know, whoſe Acquaintance, you will much eſteem. And ſo I ever continue.

IV.

To the KING.

It may pleaſe your moſt Excellent Majeſty,

IT is obſerved upon a place in the *Canticles*, by ſome; * *Ego ſum flos Campi, & Lilium Convallium*, that *à diſpari*, it is not ſaid, *Ego ſum flos Horti, & Lilium Montium*; becauſe the *Majeſty* of that *Perſon* is not encloſed for a Few, nor appropriate to the Great. And yet, notwithſtanding this Royal Virtue of Acceſs, which Nature and Judgment hath planted in your Majeſty's Mind, as the Portal of all the reſt, could not of it ſelf, (my Imperfections conſidered) have animated me to have made Oblation of my ſelf, immediately to your Majeſty, had it not been joyned with an habit of the like liberty, which I enjoyed with my late dear *Sovereign Miſtreß*; a Princeſs happy in all things elſe, but moſt happy in ſuch a *Succeſſor*. And yet further, and more nearly, I was not a little encouraged, not only upon a ſuppoſal, that unto your Majeſty's Sacred Ear, (open to the Air of all Virtues) there might come ſome ſmall breath of the good memory of my *Father*, ſo long a *Principal Councellor* in your Kingdom (*a*); but alſo, by the particular knowledge, of the infinite devotion, and

* *I am the Flower of the Field, and the Lilly of the Valeys*, that it is not ſaid, *I am the Flower of the Garden, and the Lilly of the Mountains.*

(*a*) Sir *Nicholas Bacon* Lord *Keeper* of the Great *Seal* from the firſt to the 21. year of Queen *Elizabeth*.

in-

inceſſant endeavours, (beyond the ſtrength of his Body, and the nature of the times) which appeared in my *Good Brother*, towards your Majeſty's Service; and were on your Majeſty's part, through your ſingular benignity, by many, moſt gracious and lively ſignifications and favours accepted and acknowledged, beyond the Merit of any thing he could effect. Which endeavours and duties, for the moſt part, were common to my ſelf with him, though by deſign, as (between Brethren) diſſembled. And therefore, *moſt high*, and *mighty King*, my moſt dear and dread *Sovereign Lord*; ſince now, the *Corner-ſtone* is laid of the *Mightieſt Monarchy* in *Europe*; and that God above, who hath ever a hand in bridling the Flouds and Motions of the Seas, hath by the miraculous and univerſal conſent, (the more ſtrange, becauſe it proceedeth from ſuch diverſity of Cauſes in your coming in); given a Sign and Token of great happineſs in the Continuance of your Reign; I think, there is no Subject of your Majeſty's, which loveth this Iſland, and is not hollow or unworthy, whoſe heart is not ſet on fire, not only to bring you *Peace-offerings*, to make you propitious; but to ſacrifice himſelf a *Burnt-offering* or *Holocauſt* to your Majeſty's Service: Amongſt which number no Man's fire ſhall be more pure and fervent than mine: But how far forth it ſhall blaze out, that reſteth in your Majeſty's Imployment. So thirſting after the happineſs of Kiſſing your Royal Hand, I continue ever.

V.

V.

To Mr. Davis. *(a)*

Mr. Davis,

THough you went on the ſudden, yet you could not go, before you had ſpoken with your ſelf, to the purpoſe, which I will now write: And therefore, I know, it ſhall be altogether needleſs, ſave that I meant to ſhew you, that I was not aſleep. Briefly, I commend my ſelf to your Love, and the well uſing my Name; as well in repreſſing and anſwering for me, if there be any biting or nibling at it in that place; as by imprinting a good conceit and opinion of me, chiefly in the *King*, (of whoſe favour I make my ſelf comfortable aſſurance) as otherwiſe in that Court: And not only ſo, but generally to perform to me, all the good Offices which the vivacity of your Wit can ſuggeſt to your mind, to be performed to one, with whoſe Affection you have ſo great ſympathy; and in whoſe fortune you have ſo great Intereſt. So deſiring you to be good to *concealed Poets*, I continue.

(*a*) *Mr. Davis* having made his way unto the knowledge of King *James*, by a Poem he Dedicated unto the late *Queen*, Entituled, *Noſce teipſum*, was very favourably receiv'd by the King; and not long after made his *Attorney* General in *Ireland*, and *Serjeant* at Law. And in the next Reign, was nominated to be *Chief Juſtice* of the *Kings-Bench* in *England* upon the diſplacing of Sir *Randal Crewe*; but died ſuddenly on the 27th of *December* 1626. He was very converſant with the Wits of his time; ſome of his Writings declare his Excellency in that kind, as others do his Abilities in his own Profeſſion.

VI.

VI.

To Mr. Robert Kempe.

Mr. Kempe,

THIS Alteration is ſo great, as you might juſtly conceive, ſome coldneſs of my Affection towards you, if you ſhould hear nothing from me, I living in this place. It is in vain to tell you with what wonderful ſtill and calm this Wheel is turned round; which, whether it be a *remnant* of her *felicity*, that is gone; or a *fruit* of his *Reputation* that is coming, I will not determine. For I cannot but divide my ſelf between her *Memory* and his *Name*: Yet we account it but a fair Morn, before Sun-riſing, before his Majeſty's Preſence; though, for my part, I ſee not, whence any *Weather* ſhould ariſe. The *Papiſts* are contained with fear enough, and hope too much. The *French* is thought to turn his Practice upon procuring ſome diſturbance in *Scotland*, where *Crowns* may do Wonders: But this Day is ſo welcome to the Nation, and the time ſo ſhort, as I do not fear the effect. My *Lord* of *Southampton* expecteth releaſe by the next Diſpatch, and is already much viſited, and much well-wiſhed. There is continual Poſting by Men of Good Quality towards the *King*. The rather, I think, becauſe this Spring-time, it is but a kind of Sport. It is hoped, that as the *State* here hath performed the part of good *Attorneys* to deliver the King quiet Poſſeſſion of his *Kingdoms*; ſo the King will redeliver them quiet Poſſeſſion of their *Places*; rather filling Places void, then removing Men placed. So, *&c.*

VII.

VII.

To the Earl *of* Northumberland. *(a)*

It may pleaſe your Lordſhip,

I Do hold it a thing formal and neceſſary for the King, to forerun his coming, (be it never ſo ſpeedy) with ſome Gracious Declaration, for the cheriſhing, entertaining, and preparing of Men's Affections (*b*). For which purpoſe I have conceived a Draught, it being a thing familiar in my *Miſtreſs* her times, to have my *Pen* uſed in Publick Writings of *Satisfaction.* The uſe of this may be in two ſorts: *Firſt*, properly, if your Lordſhip think it convenient,

(*a*) *Henry Percy* the Ninth *Earl* of *Northumberland* of that ancient Name, was endued with great Learning himſelf, and a great Patron of others that were ſo, eſpecially Mathematicians. And as he poſſeſſed the High Spirit, become almoſt incident to his Family; ſo no Man eſpouſed the Title of *King James* to the *Engliſh* Throne with a greater zeal than himſelf; declaring that he would remove all Impediments by his Sword. Yet the *King*, (perhaps fearing that one who thought he could confer Crowns, might attempt to reſume them) cauſed this Great Man to be ſo effectually proſecuted in the *Star-Chamber* in the year 1606, upon a Suppoſition of his being Privy to the *Powder-Plot*, or at leaſt of concealing his Couſin Mr. *Thomas Percy* one of the Conſpirators therein: That he was Fined 30000 *l.* and condemned to perpetual Impriſonment. But the *Lord Hay*, afterwards Created *Vicount Doncaſter* and *Earl* of *Carliſle*, Marrying in 1617 his youngeſt Daughter the Lady *Lucy Percy*, a Lady of the moſt celebrated Wit and Beauty of any in her times: His Releaſe from the *Tower* was obtain'd about the year 1621. Though it is ſaid the Earl was with great difficulty prevail'd to accept of this Favour, becauſe procured by a Man, he diſdained to own to be ſo near a Relation as that of a Son.

(*b*) Inſtead of this Declaration Sir *Francis Bacon* tells us in another place, that at this time there came forth in Print the King's *Book*, containing matter of Inſtruction to the *Prince* his Son, touching the *Office* of a *King*; which falling into every Man's hand, filled the whole Realm as with a good Perfume and Incenſe before the King's coming in, and far exceeded any Formal or curious Edict or *Declaration* which could have been deviſed of that Nature, wherewith Princes in the beginning of their Reigns do uſe to grace themſelves, or at leaſt expreſs themſelves gracious in the Eyes of their People.

to ſhew the King any ſuch Draught, becauſe the veins and pulſes of this State cannot but be beſt known here; which if your Lordſhip ſhould do, then I would deſire you to withdraw my Name, and only ſignifie that you gave ſome heads of direction of ſuch a Matter to one of whoſe Stile and Pen you had ſome opinion. *The other* Collateral; That though your Lordſhip make no other uſe of it, yet it is a kind of Portraicture of that, which I think worthy to be adviſed by your Lordſhip to the King; and perhaps more compendious and ſignificant, than if I had ſet them down in Articles. I would have attended your Lordſhip but for ſome little Phyſick I took. To Morrow Morning I will wait on you. So I ever, *&c.*

VIII.

To the Earl *of* Southampton. (*a*)

It may pleaſe your Lordſhip,

I Would have been very glad to have preſented my humble Service to your Lordſhip by my Attendance, if I could have foreſeen that it ſhould not have been unpleaſing unto you. And therefore, becauſe I would commit no error, I choſe to write; aſſuring your Lordſhip, how credible ſoever it may ſeem to you at firſt, yet it is as true as a thing that God knoweth; that this great Change hath wrought in me no other Change towards your Lordſhip than this, That

(*a*) *Henry Wriothesley* Earl of *Southampton* having been involved in the Ruins of the moſt Noble but unfortunate Earl of *Eſſex*, was condemned to die as guilty of the ſame Crimes, but that Earl who ſeemed careleſs of his own life, interceeded for the Life of his Friend, as did *Southampton*'s own modeſt Behaviour at his Trial: From which time he ſuffer'd Impriſonment in the *Tower* till the 10th of *April* 1603. He was afterwards reſtored in Blood, made Knight of the Garter, and One of his Majeſty's Privy Council.

I may

I may ſafely be now that which I was truly before. And ſo craving no other pardon, than for troubling you with my Letter, I do not now begin to be, but continue to be

Your Lordſhips humble and much devoted,
FR. BACON.

IX.

To Mr. Mathewe. (*a*)

SIR,

I Was heartily glad to hear that you had paſſed ſo great a part of your Journey in ſo good health. My aim was right in my Addreſs of Letters to thoſe Perſons in the Court of *Scotland*, who were likliеſt to

(*a*) I make no doubt but that this Letter was written to Mr. *Mathewe*, although it is not ſo expreſs'd in his Collection. He was Son to Dr. *Tobie Mathewe* Biſhop of *Durham*, and afterwards *Archbiſhop* of *York*; one of the moſt Eminent Divines of this Nation, conſider'd either in the Schools, the Pulpit, or the Epiſcopal Chair; and was born in *Oxford* in 1578, whilſt his Father was *Dean* of *Chriſt-Church*, but was to the great grief of his Parents a few years after the coming in of the King, reconciled to the Church of *Rome*, through the means, as is ſaid, of *Parſons* the Jeſuit: And became ſo induſtrious an Agent for her, that his refuſal of the Oath of Allegiance Eſtabliſhed by a late Act of Parliament, together with ſome imprudent Carriage, gave the King ſo great offence, that he was in a manner exiled the Kingdom in the year 1607. He continued roving from one Country and Prince's Court to another till 1617, when applying himſelf with much earneſtneſs to the Earl of *Buckingham*, he obtain'd a permiſſion to come into *England*, which he did in *July* that year, preſenting himſelf in the firſt place to Sir *Francis Bacon* then *Lord Keeper* of the *Great Seal*. But the King being afterwards diſpleaſed with him, did notwithſtanding his moving and preſſing Letters command him again to depart in *October* 1618. Yet in 1622 he was recalled to aſſiſt in the buſineſs of the *Spaniſh* Match then in agitation, and Knighted the year following. He is repreſented as a Man of very good Parts and Literature, but of an active and reſtleſs temper. What opinion Sir *Fr. Bacon* had of him when young appears before in his Letter to Sir *Thomas Chaloner*, and what eſteem he had for Sir *Francis* may be ſeen in the Preface to his Collections of Letters. At the beginning of which is Printed his Character of the Lady *Carliſle* whom I have mention'd before. He died at *Gaunt* in *Flanders* in 1655.

be uſed for the Affairs of *England*; but the pace they held was too ſwift, for the Men were come away before my Letters could reach them. With the firſt, I have renewed acquaintance, and it was like a Bill of Revivor, by way of Croſs-Suits; for he was as ready to have begun with me. The ſecond did this day arrive, and took acquaintance with me inſtantly in the Council-Chamber, and was willing to entertain me with further demonſtrations of Confidence, than I was willing at that time to admit. But I have had no ſerious Speech with him, nor do I yet know whether any of the Doubles of my Letter have been delivered to the King. It may perhaps have proved your Luck to be the firſt.

Things are here in good Quiet. The King acts Excellently well; for he puts in Clauſes of reſervation to every Proviſo. He ſaith, he would be ſorry to have juſt cauſe to remove any. He ſaith, he will diſplace none who hath ſerved the *Queen* and *State*, ſincerely, *&c.* The truth is, here be two Extreams, ſome few would have no change, no not reformation. Some many would have much change, even with perturbation. God, I hope, will direct this wiſe King to hold a mean between Reputation enough, and no Terrors (*b*). In my Particular I have many Comforts

(*b*) Upon this occaſion it may not be amiſs to remember what the moſt Eminent *Cardinal D'Oſſat* writ from *Rome* to *Monſieur de Villeroy* upon the Acceſſion of King *James* to the Crown of *England*, part of which I wiſh no Prince would ever forget.

C'eſt l'ordinaire des hommes de regarder plus au Soleil Orient qu'à l'occident, & des Princes bien adviſez qui ſont appellez à un nouvel Eſtate, d'y entrer doucement, ſans irriter ni mécontenter Perſonne ni dedans ni dehors. Si ce Prince continüe guidé par la vertu, & accompagné de bon heur, come juſques icy, il ſera tres-grand, & fera bon l'avoir pour amy; & nous qui depuis quelques années en ca n'avions eû l'œil quaſi qu'en un lieu, faudra que l'ayons cy aprés en deux; comme faudra bien auſſi qui faſſent encores d'autres. Et en Fin de Compte, *Celui de tous qui regnera*

forts and Aſſurances; but in my own opinion the chief is, that the Canvaſſing World is gone, and the deſerving World is come. And withal I find my ſelf as one awaked out of ſleep; which I have not been this long time, nor could I think have been now without ſuch a great noiſe as this, which yet is in *Aurâ Leni*. I have written this to you in haſt, my end being no more than to write, and thereby to make you know that I will ever continue the ſame, and ſtill be ſure to wiſh you as heartily well as to my ſelf.

regnera le mieux, & le plus juſtement à l'honneur & gloire de Dieu, & au Soulagement, Profit & Felicité de ſes ſujets; ſera le plus aſſeuré, le plus Fort, & le plus aimé loüé & beni de Dieu & des Hommes; en quoy conſiſte la vraye & perdurable grandeur & Puiſſance des Roys, & l'aſſeurance de leur Poſterité.

X.

To the Earl *of* Northumberland.

It may pleaſe your Good Lordſhip,

I Would not have loſt this Journey, and yet I have not that I went for, for I have had no private Conference to purpoſe, with the King. No more hath almoſt any other *Engliſh*. For the Speech his Majeſty admitteth with ſome Noblemen, is rather matter of Grace than matter of Buſineſs; with the *Atturney* he ſpake, urged by the *Treaſurer* of *Scotland*, but no more than needs muſt. After I had receiv'd his Majeſty's firſt welcome, and was promiſed private acceſs; yet not knowing what matter of Service your Lordſhip's Letter carried (for I ſaw it not) and well knowing that primeneſs in advertiſement is much; I choſe rather to deliver it to Sir *Tho. Heskins*, than to cool it in my own hands, upon expectation of Acceſs. Your Lordſhip

ſhip ſhall find a *Prince*, the fartheſt from vain glory, that may be; and rather like a *Prince* of the *Ancient Form*, than of the *latter time*. His Speech is ſwift and curſory, and in the full *Dialect* of his *Country*, and in Speech of Buſineſs, ſhort; in Speech of Diſcourſe, large. He affecteth Popularity by Gracing ſuch as he hath heard to be Popular, and not by any faſhions of his own: He is thought ſomewhat general in his Favours; and his virtue of Acceſs, is rather, becauſe he is much abroad, and in preſs, than that he giveth eaſie Audience. He haſteneth to a *Mixture* of both *Kingdoms* and Occaſions, faſter perhaps than Policy will well bear. I told your Lordſhip once before, that (methought) his Majeſty rather asked Counſel, of the time paſt, than of the time to come. But it is yet early to ground any ſetled opinion. For the Particulars, I refer to Conference, having in theſe Generals gone further in ſo tender an Argument, than I would have done, were not the bearer hereof ſo aſſured. So I continue, *&c.*

XI.

To Mr. Pierce *Secretary to the* Lord Deputy *of* Ireland.

Mr. Pierce.

I Am glad to hear of you, as I do; and for my part, you ſhall find me ready to take any Occaſion, to further your Credit, and Preferment. And I dare aſſure you, (though I am no *Undertaker*) to prepare your way with my *Lord* of *Salisbury*, for any good fortune which may befall you. You teach me to complain of Buſineſs, whereby I write the more briefly; and

and yet I am ſo unjuſt, as that which I alledge for mine own Excuſe, I cannot admit for yours. For I muſt, by expecting, exact your Letters, with this fruit, of your Sufficiency, as to underſtand how things paſs in that *Kingdom*. And therefore, having begun, I pray you continue. This is not meerly Curioſity, for I have ever (I know not by what inſtinct) wiſhed well to that impoliſhed part of this *Crown*. And ſo, with my very Loving Commendations, I remain.

XII.

To the Earl *of* Salisbury. (*a*)

It may pleaſe your Good Lordſhip,

I Preſent your Lordſhip with a *Work* of my vacant time; which if it had been more, the *Work* had been better. It appertaineth to your Lordſhip (beſides my particular reſpects) in ſome propriety; in regard you are a great Governour, in a Province of Learning. And (that which is more) you have added to your place Affection towards Learning; and to your Affection, Judgment. Of which, the laſt, I could be con-

(*a*) Sir *Robert Cecil*, Created by King *James* Lord *Cecil*, Vicount *Cranburne*, and Earl of *Salisbury*; was not only Son to one of the Greateſt Stateſmen of his Age, the Lord *Burleigh*, but ſucceeded him in his Places and Abilities, and was one of the great Supports of the *Queen*'s declining years. Yet the ill Offices he was thought to perform towards the Noble and Popular *Earl* of *Eſſex*, together with his conduct in ſome Particulars in her Succeſſor's Reign, has abated the Luſtre of his Character, which otherwiſe from his Parts and Prudence would have appear'd very conſpicuous. After he had been long *Secretary* of *State*, ſome years Lord *Treaſurer* and *Chancellor* of the Univerſity of *Cambridge*, he died in *May* 1612, at *Marlborough* in his return from the *Bath*; as by a Diary of his Sickneſs, and the account given by Sir *Robert Naunton* one of his Retinue, appears; which I ſhould not here mention, but that his Enemies in their Libels which flew freely about, have ſuggeſted that he died on the *Downs*, which if true, could be eſteemed at moſt but his Misfortune.

tent,

tent, were (for the time) leſs, that you might the leſs exquiſitely cenſure, that which I offer unto you. But ſure I am, the Argument is good, if it had lighted upon a good Author. But I ſhall content my ſelf to awake better Spirits; like a Bell-ringer, which is firſt up to call others to Church. So with my humble deſire of your Lordſhip's good acceptation, I remain.

XIII.

To the Lord Treaſurer Buckehurſt. (*a*)

May it pleaſe your Good Lordſhip,

I Have finiſhed a Work touching the *Advancement*, or ſetting forward of *Learning*, which I have Dedicated to his *Majeſty*; the moſt Learned of a Sovereign, or Temporal Prince, that time hath known. And upon reaſon, not unlike, I humbly preſent one of the Books, to your Lordſhip: Not only as a *Chancellor* of an *Uni-*

(*a*) I ſhall draw this Noble Lord's Character from Sir *Robert Naunton's* Obſervations of the Favourites of Queen *Elizabeth*; and much in his own words: My *Lord* of *Buckehurſt* was of the Noble Houſe of the *Sackvilles*, and of the Queen's Conſanguinity. He was a very fine Gentleman of Perſon and Endowments, both of Art and Nature; but without meaſure magnificent, till on the Turn of his Humour, and the allay that his years and good counſels of the Queen, *&c.* had wrought upon thoſe immoderate courſes of his Youth, and that Heighth of ſpirit inherent to his Houſe; She began to aſſiſt him in the reparation of that vaſt Patrimony he had much waſted. After the Honour ſhe had given him of Lord *Buckehurſt*, and Knight of the *Garter*, ſhe procured him to be choſen *Chancellor* of the Univerſity of *Oxford*, upon the death of Sir *Chriſtopher Hatton*, and conſtituted him *Lord Treaſurer* on the death of the Lord *Burleigh*, which Office he enjoy'd till *April* 1608, dying then ſuddenly at the Council-Table: The King having ſome years before Created him Earl of *Dorſet*. He is alſo much commended for his happy vein in Poetry, to which he was addicted in his Youth; and for his Elocution, and the Excellencies of his Pen; Faculties that yet run in the Blood, as Sir *Robert Naunton* obſerves in his Son *Robert* and his Grandſons *Richard* and *Edward*, Succeſſive Earls of *Dorſet*, and this Age has the ſatisfaction to ſee continued in the Perſon of the Right Honourable *Charles* Earl of *Dorſet* and *Middleſex*.

verſity,

verſity, but as one that was Excellently bred in all Learning; which I have ever noted to ſhine in all your Speeches and Behaviours. And therefore your Lordſhip will yield a Gracious Aſpect to your firſt Love; and take pleaſure in the adorning of that wherewith your ſelf are ſo much adorned. And ſo humbly deſiring your favourable Acceptation thereof, with ſignification of humble Duty, I remain.

XIV.

To the Lord Chancellor. (a)

May it pleaſe your Good Lordſhip,

I humbly preſent your Lordſhip with a *Work*, wherein, as you have much Commandment over the *Author*; ſo your Lordſhip hath great intereſt in the *Argument*: For to ſpeak without flattery, few have like uſe of Learning, or like Judgment in Learning, as I have obſerved in your Lordſhip. And again, your Lordſhip hath been a great Planter of Learning; not only in thoſe places in the Church, which have been in your own Gift, but alſo in your Commendatory Vote, no Man hath more conſtantly held; Let it be given to the moſt deſerving, *detur digniori*: And therefore, both your Lordſhip is beholding to *Learning*, and *Learning* beholding to you; which maketh me preſume with good aſſurance that your Lordſhip will accept well of theſe my Labours; the rather becauſe your Lordſhip in private Speech hath often begun to me in expreſſing your Admiration of his Majeſty's Learning, to whom I have Dedicated this Work; and whoſe Virtue and Perfection in that kind did chiefly move me to a Work

(a) Sir *Thomas Egerton* Lord *Elleſmere*. See the Introduction.

of this Nature. And ſo with ſignification of my moſt humble Duty and Affection to your Lordſhip, I remain.

XV.

To the Earl *of* Northampton. (*a*)

It may pleaſe your Good Lordſhip,

HAving finiſhed a *Work* touching the *Advancement* of *Learning*, and Dedicated the ſame to his Sacred Majeſty, whom I dare avouch, (if the Records of time err not) to be the *Learnedſt King* that hath Reigned; I was deſirous, in a kind of Congruity, to preſent it by the *Learnedſt Counſellor* in this Kingdom; to the end that ſo good an *Argument*, lighting upon ſo bad an *Author*, might receive ſome reputation by the hands into which, and by which it ſhould be delivered. And therefore, I make it my humble Suit to your Lordſhip, to preſent this mean but well meant Writing to his Majeſty, and with it, my humble and zealous Duty;

(*a*) The Earl of *Northampton* was the ſecond Son, and bore the Name of that accompliſhed Gentleman *Henry Howard*, Earl of *Surrey*, Son and Heir to the Duke of *Norfolk*, who ſuffer'd under the Severity of King *Henry* the Eighth's latter days, the one by Death, the other Impriſonment. During great part of the Reign of Queen *Elizabeth*, while his Family lay under the Cloud, he appli'd himſelf to Learning; and to what a degree he arrived appears by a Book he Publiſhed in 1583, againſt the Poyſon of Suppoſed Propheſies, and Dedicated to Sir *Francis Walſingham*; and the Eulogy that was generally given him, *That He was the moſt Learned among the Noble, and the moſt Noble among the Learned.* But in the King's Reign His Advancement was ſpeedy both in Favours, Honours and Riches. The Services he performed as a Commiſſioner in making the Peace between *England* and *Spain*, gave birth to a Saying in thoſe Times, (but with what truth I know not) That his Houſe in the *Strand* now call'd *Northumberland*-Houſe, was built by *Spaniſh* Gold. He died in 1614, leaving behind him the memory of ſome real good Works, and of ſome ſuppoſed ill ones; concealing as was thought his Religion for many years, and of being privy to the untimely death of Sir *Tho. Overbury*.

and

and alſo, my like humble requeſt of Pardon, if I have too often taken his Name in vain, not onely in the the Dedication, but in the voucher of the Authority of his Speeches and Writings. And ſo I remain.

XVI.

To Sir Thomas Bodley. (*a*)

SIR,

I Think no Man may more truely ſay, with the Pſalm, * *Multum Incola fuit Anima mea*, than my ſelf; for I do confeſs ſince I was of any underſtanding, my mind hath in effect been abſent from that I have done: And in abſence are many Errors, which I do willingly acknowledge; and amongſt the reſt, this great one that led the reſt; that knowing my ſelf by inward calling to be fitter to hold a Book, than to play a part, I have led my life in Civil Cauſes; for which I was not very fit by nature, and more unfit by the preoccupation of my Mind. Therefore calling my ſelf home, I have now for a time enjoyed my ſelf; whereof, likewiſe I deſire to make the World partaker. My Labours (if I may ſo term that which was the comfort of my other Labours) I have Dedicated to the King; deſirous if there be any good in them, it may be as the *fat* of a *Sacrifice*, incenſed to his Honour: And the ſecond *Copy* I have ſent unto you, not onely in good affection, but in a kind of Congruity, in regard of your great and rare deſert of Learning. For

* My Soul hath been long a Sojourner.

(*a*) Sir *Thomas Bodley* reſtored the Library in *Oxford*, begun in the Times of King *Henry* the Sixth by *Humphry* Duke of *Glouceſter*; or was rather the Founder of a new One, which now bears his Name, and which hath placed him among the chief Benefactors to that Univerſity, and to the Commonwealth of Learning. He died in the entrance of the year 1613.

Books are the *Shrines* where the *Saint* is, or is believed to be. And you having built an *Ark* to ſave *Learning* from *Deluge*, deſerve propriety in any new Inſtrument, or Engine, whereby *Learning* ſhould be improved or advanced.

XVII.

To Dr. Playfer.

Mr. Dr. Playfer,

A Great deſire will take a ſmall Occaſion to hope and put in trial that which is deſired. It pleaſed you a good while ſince, to expreſs unto me the good liking which you conceived of my Book of the *Advancement* of *Learning*; and that more ſignificantly, (as it ſeemed to me) than out of courteſie, or Civil reſpect. My ſelf, as I then took Contentment in your Approbation thereof; ſo I ſhould eſteem and acknowledge, not onely my Contentment encreaſed, but my Labours advanced, if I might obtain your help in that Nature which I deſire. Wherein before I ſet down in plain Terms, my requeſt unto you, I will open my ſelf, what it was which I chiefly ſought and propounded to my ſelf in that Work; that you may perceive that which I now deſire, to be perſuant thereupon. If I do not much err, (for any Judgment that a Man maketh of his own doings, had need be ſpoken with a *Si nunquam fallit Imago*, *(a)*) I have this Opinion, that if I had ſought mine own Commendation, it had been a much fitter courſe for me to have done as Gardeners uſed to do, by taking their Seed and Slips, and

(*a*) *Virg. 2d Eclogue*, alluding there to the good opinion Men are apt to have of their own Perſons, as here of their own Works.

rearing

rearing them firſt into Plants, and ſo uttering them in Pots, when they are in flower, and in their beſt ſtate. But for as much as my end was *Merit* of the *State* of *Learning* (to my power) and not *Glory*; and becauſe my purpoſe was rather to excite other Mens Wits than to magnifie mine own; I was deſirous to prevent the uncertainneſs of mine own life and times, by uttering rather Seeds than Plants: Nay and further, (as the Proverb is) by ſowing with the Basket, rather than with the hand: Wherefore, ſince I have onely taken upon me to ring a Bell, to call other Wits together, (which is the meaneſt Office) it cannot but be conſonant to my deſire, to have that Bell heard as far as can be. And ſince they are but ſparks which can work but upon Matter prepared, I have the more reaſon to wiſh, that thoſe ſparks may fly abroad, that they may the better find and light upon thoſe minds and ſpirits which are apt to be kindled. And therefore the privateneſs of the *Language* conſidered, wherein it is written, excluding ſo many Readers; as on the other ſide, the *Obſcurity* of the *Argument* in many parts of it, excludeth many others; I muſt account it a *ſecond Birth* of that *Work*, if it might be Tranſlated into *Latin*, without manifeſt loſs of the Senſe and Matter. For this purpoſe I could not repreſent to my ſelf any Man into whoſe hands I do more earneſtly deſire that Work ſhould fall than your ſelf; for by that I have heard and read, I know no Man a greater Maſter in commanding words to ſerve Matter. Nevertheleſs, I am not ignorant of the worth of your Labours, whether ſuch as your place and profeſſion impoſeth, or ſuch as your own virtue may upon your voluntary Election take in hand. But I can lay before you no other perſwaſions than either the *Work* it ſelf may affect you with; or the *Honour* of his *Majeſty*, to whom it is *dedicated*,

dicated, or your particular inclination to my ſelf; who, as I never took ſo much comfort in any Labours of mine own, ſo I ſhall never acknowledge my ſelf more obliged in any thing to the Labours of another, than in that which ſhall aſſiſt it. Which your Labour, if I can by my Place, Profeſſion, Means, Friends, Travel, Work, Deed, requite unto you, I ſhall eſteem my ſelf ſo ſtreightly bound thereunto, as I ſhall be ever moſt ready both to take and ſeek occaſion of Thankfulneſs. So leaving it nevertheleſs, *Salvâ Amicitiâ*, as reaſon is to your good liking. I remain.

XVIII.

To the Lord Chancellor.

It may pleaſe your Good Lordſhip,

SOme late Act of his Majeſty, referred to ſome former Speech which I have heard from your Lordſhip, bred in me a great deſire; and the ſtrength of deſire a boldneſs to make an humble Propoſition to your Lordſhip; ſuch as in me can be no better than a wiſh: But if your Lordſhip ſhould apprehend it, it may take ſome good and worthy effect. The Act I ſpeak of, is the Order given by his Majeſty for the erection of a *Tomb* or *Monument*, for our late Sovereign Queen *Elizabeth* (*a*); wherein I may note much, but only this at this time, that as her Majeſty did always right to his Majeſty's *hopes*; ſo his Highneſs doth in all things right to her *Memory*; a very juſt and Princely retribution. But from this occaſion by a very eaſie aſcent I paſſed further, being put in mind by this Repreſentative of her *Perſon* of the more true, and more vive

(*a*) The Monument here ſpoken of was erected in K. *Henry* the Seventh's Chappel at *Weſtminſter*, in the year 1606.

Repre-

Repreſentation which is of her *Life* and *Government*; for as *Statues* and *Pictures* are *dumb Hiſtories*, ſo *Hiſtories* are *ſpeaking Pictures*; wherein if my affection be not too great, or my reading too ſmall; I am of this opinion, That if *Plutarch* were alive to write Lives by Parallels, it would trouble him for virtue and for time, both to find for her a *Parallel* amongſt *Women*. And tho' ſhe was of the paſſive Sex, yet her *Government* was ſo active, as in my ſimple opinion, it made more impreſſion upon the ſeveral States of *Europe*, than it received from thence. But I confeſs unto your Lordſhip I could not ſtay there, but went a little further into the conſideration of the times which have paſſed ſince King *Henry* the *Eighth*; wherein I find the ſtrangeſt variety that in ſo little number of Succeſſions of any Hereditary Monarchy hath ever been known. The *Reign* of a *Child*: The offer of an *Uſurpation*, though it were but as a *Diary Ague*; the Reign of a *Lady* Married to a *Foreigner*, and the Reign of a *Lady* ſolitary and unmarried; ſo that as it cometh to paſs in maſſy Bodies; That they have certain Trepidations and waverings, before they fix and ſettle; ſo it ſeemeth that by the Providence of God, this Monarchy (before it was to ſettle in his Majeſty, and his Generations, in which I hope it is now eſtabliſhed for ever) hath had theſe preluſive changes in theſe barren Princes. Neither could I contain my ſelf here, (as it is eaſier to multiply than to ſtay a wiſh) but calling to remembrance the *unworthineſs* of the *Hiſtory of England* (*b*), in the main continuance thereof; and the *Partiality* and *Obliquity* of that

(*b*) The unworthineſs of the *Hiſtory* of *England* hath been long complain'd of by ingenious Men, both of this and other Nations. Sir *Francis Bacon* hath expreſſed himſelf much to the ſame effect, and in many of the ſame words, tho' more at large in his ſecond Book of the *Advancement* of *Learning*. Where he carries this Period of remarkable Events ſomewhat higher

that of *Scotland*, in the lateſt and largeſt Author (*c*) that I have ſeen; I conceived it would be honour for his Majeſty, and a Work very Memorable, if this *Iſland* of *Great Britain*, as it is now joyned in *Monarchy*, for the Ages to come; ſo it were joyned in *Hiſtory* for the times paſt; and that one juſt and compleat *Hiſtory* were Compiled of both Nations. And if any Man think it may refreſh the Memory of former diſcords, he may

higher than in this Letter; beginning with the Union of the Roſes under *Henry* the Seventh, and ending with the Union of the Kingdoms under King *James*. A portion of time filled with ſo great and variable Accidents both in Church and State, and ſince ſo well diſcovered to the view of the World, that had other Parts the ſame performance, we ſhould not longer lye under any reproach of this kind. And ſince the Specimen Sir *William Temple* has given the Nation, and the progreſs another faithful and induſtrious Gentleman has made; we may hope to ſee a general Hiſtory of *England* compleated in our times. The Reign of King *Henry* the Seventh was written by our Author ſoon after his Retirement, with ſo great a Beauty of Stile and wiſdom of Obſervation, that nothing can be more entertaining, where the Truth of Hiſtory is not diſguiſed with the falſe Colours of Romance. It was ſo acceptable a Preſent to the *Prince* of *Wales*, that when he became *King*, he commanded him to proceed with the Reign of King *Henry* the Eighth. But my Lord *Bacon* being then meditating the Hiſtory of Nature, which he hardly lived to publiſh; His ill ſtate of Health, and ſucceeding death, put an end to this and other Noble deſigns. Leaving the Eccleſiaſtical and Civil Affairs of thoſe Times to be ſo well related by the Learned Pens of Dr. *Burnet*, the preſent Biſhop of *Saliſbury*, (notwithſtanding the Objections of the avow'd Enemies, and ſeeming Friends to the *Reformation*) and the Lord *Herbert* of *Cherbury*; that I think there is not much of moment to be expected from a future hand. And for the *Annals* of Queen *Elizabeth* compiled by Mr. *Cambden*, the eſteem of them is as Univerſal as the Language in which they are written. Nor muſt I forget in this Place to take notice of two fair and large Volumes lately publiſhed in *French* by *Monſieur de Larrey*, where building upon the Foundations laid by theſe Gentlemen, and ſome other Memoires he hath not forgotten to do much Honour to the *Engliſh* Nation. Beginning his Hiſtory alſo with *Henry* the Seventh, and already continued to the End of King *James* the Firſt.

(*c*) This I take to be meant of *Buchanan*'s Hiſtory of *Scotland*, a Book much admired by ſome, but cenſured by many, for his Partiality in favour of the Lords, againſt *Mary* Queen of the *Scots*, and the Regal Power. In other reſpects, Archbiſhop *Spotſwood* informs us that he Penned it with ſuch Judgement and Eloquence, as no Country can ſhew a better.

ſatisfie

ſatisfie himſelf with the verſe, *Olim hæc meminiſſe juvabit*; for the caſe being now altered, it is matter of Comfort and Gratulation to remember former Troubles. Thus much, if it may pleaſe your Lordſhip, is in the Optative Mood; it is time that I did look a little into the Potential; wherein the hope which I conceived was grounded upon three Obſervations. The *Firſt*, the nature of theſe times, which flouriſh in Learning, both of Art and Language; which giveth hope not onely that it may be done, but that it may be well done. *Secondly*, I do ſee that which all the world ſees in his Majeſty, both a wonderful Judgement in Learning, and a ſingular Affection towards Learning; and Works which are of the *Mind*, and not of the *Hand*. For there cannot be the like honour ſought, in building of *Galleries* (*d*), and Planting of *Elmes* along High-ways, and outward Ornaments, wherein *France* now is buſie; (things rather of Magnificence than of Magnanimity;) as there is in the *uniting of States* (*e*), *pacifying of Controverſies* (*f*), nouriſhing and *augmenting* of *Learning* and *Arts*, and the particular Actions appertaining to theſe; of which kind *Cicero* judged truly, when he ſaid to *Cæſar*, **Quantum Operibus ſuis detrahet vetuſtas, tantum addet Laudibus*. And *Laſtly*, I call to mind, that your Lordſhip at ſome times had been pleaſed to expreſs unto me a great deſire, that ſomething of this nature ſhould be performed; anſwerable indeed to your other Noble and worthy Courſes and Actions: Joyning and adding unto the great Services towards his *Majeſty*; (which

* That Time it ſelf will as much improve your Fame as it will impair your Works.

(*d*) The Magnificent Gallery at the *Louvre* in *Paris*, built by *Henry* the Fourth.

(*e*) The Union of *England* and *Scotland*.

(*f*) The Conference at *Hampton* Court held between the Biſhops and Puritan Miniſters as they were then called, ſoon after the King's coming to the Crown of *England*, and where his Majeſty was the Moderator.

have in ſmall compaſs of time, been put upon your Lordſhip) other great deſervings both of the *Church* and *Commonwealth*, and Particulars; ſo as the opinion of ſo great and wiſe a Man, doth ſeem to me a good Warrant both of the poſſibility and worth of this matter. But all this while, I aſſure my ſelf, I cannot be miſtaken by your Lordſhip, as if I ſought an Office or Imployment for my ſelf: For no Man knows better than your Lordſhip, that if there were in me any faculty thereunto, yet neither my courſe of life, nor profeſſion would permit it: But becauſe there be ſo many good *Painters* both for *Hand* and *Colours*, it needeth but encouragement and inſtructions to give life unto it, ſo in all humbleneſs, I conclude, my preſenting unto your Lordſhip this *Wiſh*; which, if it periſh, it is but a loſs of that which is not. And ſo craving pardon that I have taken ſo much time from your Lordſhip, I remain.

XIX.

To the KING.

It may pleaſe your Majeſty,

HEaring that you are at leiſure to peruſe Stories, a deſire took me to make an Experiment what I could do in your Majeſty's times, which being but a leaf or two, I pray your pardon, if I ſend it for your Recreation;* Conſidering that Love muſt creep where it cannot go. But to this I add theſe Petitions. *Firſt*, that if your Majeſty do diſlike any thing, you would conceive I can amend it upon your leaſt beck. *Next*, that if I have not ſpoken of your Majeſty, *Encomiaſtically*, your Majeſty would be pleaſed onely to aſcribe it, to

* This is Printed in the *Reſuſcitatio*, pag. 221.

the

the *Law* of an *Hiſtory*; which doth not clutter together praiſes upon the firſt mention of a Name, but rather diſperſeth and weaveth them through the whole Narrative. And as for the proper place of Commemoration, (which is in the period of life) I pray God I may never live to write it. *Thirdly*, that the reaſon why I preſumed to think of this Oblation, was becauſe whatſoever my diſability be, yet I ſhall have that advantage which almoſt no Writer of Hiſtory hath had: In that I ſhall write of Times not onely ſince I could remember, but ſince I could obſerve. And laſtly, that it is only for your Majeſty's reading.

XX.

To Mr. Edward Coke. *(a)*

Mr. Attorney,

I Thought beſt, once for all, to let you know in plainneſs what I find of you, and what you ſhall find of me; You take to your ſelf a Liberty to Diſgrace and diſable my *Law*, my *Experience*, my *Diſcretion*; what it pleaſeth you, I pray, think of me; I am one that knows both mine own wants, and other Mens: And it may be, perchance, that mine mend, others ſtand at a ſtay. And ſurely I may not endure in publick place, to be wronged without repelling the ſame to my beſt advantage to right my ſelf. You are great, and therefore have the more Enviers, which would be glad to have you paid at another's coſt. Since the time I miſſed the *Solicitor*'s place, (the rather I think by your means) I cannot expect that you and I ſhall ever ſerve as *Attorney* and *Solicitor* together; But either to ſerve with an-

(*a*) See the Introduction.

other upon your remove, or to ſtep into ſome other courſe: So as I am more free than ever I was from any Occaſion of unworthy conforming my ſelf to you, more than general good Manners, or your particular good uſage ſhall provoke; and if you had not been ſhort-ſighted in your own fortune, (as I think) you might have had more uſe of me. But that Tide is paſſed. I write not this to ſhew my Friends what a brave Letter I have written to Mr. *Attorney*; I have none of thoſe humours, but that I have written is to a good end; that is, to the more decent Carriage of my Maſter's Service; and to our particular better underſtanding one of another. This Letter, if it ſhall be anſwered by you in Deed, and not in word, I ſuppoſe it will not be worſe for us both: Elſe it is but a few lines loſt; which for a much ſmaller matter, I would have adventured. So this being to your ſelf, I for my part reſt.

XXI.

To the Earl *of* Salisbury.

May it pleaſe your Lordſhip,

I Am not privy to my ſelf of any ſuch ill deſerving towards your Lordſhip, as that I ſhould think it an impudent thing to be a Suitor for your Favour in a reaſonable matter; your Lordſhip being to me as (with your good Favour) you cannot ceaſe to be, but rather it were a ſimple and arrogant part in me to forbear it.

It is thought Mr. *Attorney* ſhall be *Chief Juſtice* of the *Common Pleas*; in caſe Mr. *Solicitor* riſe, I would be glad now at laſt to be *Solicitor*; chiefly becauſe I think it will increaſe my practice, wherein God bleſſing me a few years, I may mend my ſtate, and ſo

ſo after fall to my Studies and eaſe; whereof one is requiſite for my Body, and the other ſerveth for my mind; wherein if I ſhall find your Lordſhip's Favour, I ſhall be more happy than I have been, which may make me alſo more wiſe. I have ſmall ſtore of means about the King, and to ſue my ſelf is not fit; and therefore I ſhall leave it to God, his Majeſty, and your Lordſhip, for I muſt ſtill be next the Door. I thank God in theſe Tranſitory things I am well reſolved. So beſeeching your Lordſhip not to think this Letter the leſs humble, becauſe it is plain. I reſt, &c.

Fr. Bacon.

XXII.

To the Earl *of* Salisbury.

It may pleaſe your good Lordſhip,

I Am not ignorant, how mean a Thing, I ſtand for, in deſiring to come, into the *Solicitor*'s Place: For I know well, it is not the Thing it hath been; Time having wrought Alteration, both in the Profeſſion, and in that ſpecial Place. Yet becauſe, I think, it will encreaſe my Practice, and that it may ſatisfie my Friends; And becauſe I have been voiced to it, I would be glad it were done. Wherein, I may ſay to your Lordſhip, in the Confidence, of your Poor Kinſman, and of a Man, by you advanced; * *Tu idem fer Opem, qui Spem dediſti:* For, I am ſure, it was not poſſible, for a Man Living, to have received, from another, more ſignificant, and comfortable, words of Hope; your Lordſhip being pleaſed, to tell me, during the Courſe of my laſt Service, that you would raiſe me; And that, when

* As you have given Hope, give Help.

when you had reſolved, to raiſe a Man, you were more careful of him, than himſelf; And that, what you had done for me, in my Marriage, was a benefit to me, but of no uſe to your Lordſhip; And therefore, I might aſſure my Self, you would not leave me there; with many like Speeches, which I knew, my Duty too well, to take any other hold of, than the Hold of a Thankful Remembrance. And I acknowledge, and all the World knoweth, that your Lordſhip, is no Dealer, of *Holy Water*, but Noble, and Real; And, on my part, I am of a ſure ground, that I have committed nothing, that may deſerve alteration. And therefore, my Hope is, your Lordſhip, will finiſh a good Work, and conſider, that Time groweth precious with me, and that I am now in * *Vergentibus Annis*. And although I know, that your Fortune is not to need, an Hundred ſuch as I am, yet I ſhall be ever ready, to give you my beſt, and Firſt fruits; And to ſupply, (as much as in me lieth,) Worthineſs, by Thankfulneſs.

* Declining Years.

XXIII.

To the Lord Chancellor.

It may pleaſe your Good Lordſhip,

AS I conceived it to be a Reſolution, both with his *Majeſty*, and your *Lordſhips* of his *Council*, that I ſhould be placed *Sollicitor*, and the *Solicitor*, to be removed, to be the *King's Serjeant*: So I moſt thankfully acknowledge, your Lordſhip's furtherance, and forwardneſs therein; your Lordſhip, being the Man, that firſt deviſed the Mean: Wherefore, my humble Requeſt, to your Lordſhip is, that you would ſet in, with ſome Strength, to finiſh this your Work: Which I aſſure

I aſſure your Lord, I deſire the rather, becauſe being placed, I hope, for many Favours, at laſt, to be able, to do you ſome better Service. For as I am, your Lordſhip cannot uſe me; nor ſcarcely indeed know me: Not that I vainly think, I ſhall be able, to do any great Matters, but certainly, it will frame me to uſe a nearer Obſervance, and Application, to ſuch, as I honour ſo much, as I do your Lordſhip; And not, (I hope) without ſome good Offices, which may, now and then, deſerve your Thanks. And herewithal, (good my *Lord*) I humbly pray your Lordſhip, to conſider, that Time groweth precious with me, and that a Married Man, is ſeven years elder, in his thoughts, the firſt day. And therefore, what a diſcomfortable Thing it is for me, to be unſetled ſtill? Certainly, were it not, that I think my Self born, to do my Sovereign Service; And therefore, in that Station, I will live and die; Otherwiſe, for mine own Private comfort, it were better for me, that the *King*, did blot me out of his *Book*; Or that I ſhould turn my Courſe, to endeavour, to ſerve, in ſome other kind, than for me, to ſtand thus at a ſtopp; And to have that little Reputation, which by my Induſtry I gather, to be ſcattered, and taken away, by continual Diſgraces, every new Man coming above me. Sure I am, I ſhall never have fairer Promiſes, and Words, from all your Lordſhips. For I know not what my Services are, (ſaving that your Lordſhips told me, they were good;) And I would believe you, in a much greater Matter. Were it nothing elſe, I hope the Modeſty of my Sute, deſerveth ſomewhat; For I know well, the *Solicitor*'s Place, is not as your Lordſhip left it; Time working Alteration, ſomewhat in the Profeſſion, much more in that ſpecial Place. But to conclude, as my Honourable Lady, your Wife, was ſome Mean, to make me, to change the Name of Another; So if it

it pleaſe you, to help me, to change mine own Name, I can be, but more and more bounden to you: And I am much deceived, if your Lordſhip, find not the *King*, well inclined, and my *Lord of Salisbury* forward, and affectionate.

XXIV.

To the KING.

HOW honeſtly ready I have been (*moſt Gracious Sovereign*,) to do your Majeſty humble Service, to the beſt of my Power, and in a manner, beyond my power, (as I now ſtand,) I am not ſo unfortunate, but your Majeſty knoweth. For both, in the *Commiſſion* of *Union*, (the Labour whereof, for Men of my Profeſſion, reſted moſt upon my hand;) And this laſt *Parliament*, in the *Bill* of the *Subſidy*; Both Body and Preamble; In the *Bill* of *Attainders*, both *Treſham*, and the reſt; In the *Matter* of *Purveyance*; In the *Eccleſiaſtical Petitions*; In the *Grievances*; And the like; as I was ever careful, (and not without good Succeſs,) ſometimes to put forward, that which was good; ſometimes to keep back, that which was not ſo good; So your Majeſty was pleaſed, kindly to accept of my Services, and to ſay to me; Such Conflicts were the Wars of Peace; And ſuch Victories the Victories of Peace; And therefore ſuch Servants, that obtained them, were by *Kings*, that reign in Peace, no leſs to be eſteemed, than Services of Commanders in the Wars. In all which, nevertheleſs, I can challenge, to my Self, no Sufficiency, but that I was diligent, and reaſonable happy, to execute thoſe Directions, which I received, either immediately from your Royal Mouth, or from my *Lord of Salisbury*. At what time, it pleaſed your Majeſty

Majeſty alſo, to promiſe, and aſſure me, that upon the Remove of the then *Atturney*, I ſhould not be forgotten, but brought into Ordinary Place. And this was after confirmed to me, by many of my Lords, and towards the end of the laſt Term, the manner alſo, in particular, ſpoken of; That is, that Mr. *Sollicitor*, ſhould be made your Majeſty's *Serjeant*, and I *Sollicitor*: For ſo it was thought beſt, to ſort, with both our Gifts, and Faculties, for the good of your Service: And of this Reſolution, both Court, and Country, took knowledge. Neither was this, any Invention, or Project, of mine own; but moved from my *Lords*, I think, firſt from my *Lord Chancellor*: whereupon reſting, your Majeſty well knoweth, I never opened my Mouth, for the *Greater Place*; Though I am ſure, I had two Circumſtances, that Mr. *Atturney*, that now is, could not alledge: The one, *Nine years* Service of the Crown: The other, the being *Couſin Germain*, to the *Lord of Salisbury*, whom your Majeſty eſteemeth, and truſteth ſo much. But for the leſs Place, I conceive it was meant me. But after that, Mr. *Atturney Hobert* was placed, I heard no more of my Preferment; but it ſeemed to me at a ſtopp, to my great Diſgrace, and Diſcouragement. For (*Gracious Sovereign*,) if ſtill, when the *Waters are ſtirr'd*, another ſhall be put in before me, your Majeſty had need work a *Miracle*, or elſe, I ſhall be ſtill, a lame Man, to do your Service. And therefore, my moſt humble Sute, to your Majeſty, is; That this, which ſeemed to me intended, may ſpeedily be performed: And, I hope, my former Service, ſhall be, but as Beginnings to better, when I am better ſtrengthened: For ſure I am, no Man's Heart is fuller, (I ſay not, but many may have greater Hearts, but I ſay not fuller,) of Love, and Duty, towards your Majeſty, and your Children; As, I hope, Time

will manifeſt, againſt Envy, and Detraction, if any be. To conclude, I moſt humbly crave pardon for my boldneſs, and reſt.

XXV.

To the Earl of Salisbury *upon a* New-years *Tide.*

It may pleaſe your Good Lordſhip,

HAving no *Gift* to preſent you with, in any Degree proportionable to my mind; I deſire, nevertheleſs, to take the advantage of a *Ceremony*, to expreſs my ſelf, to your Lordſhip; it being the firſt time, I could make the like acknowledgment, when I ſtood out of the Perſon of a Suter: wherefore, I moſt humbly pray your Lordſhip, to think of me, that now it hath pleaſed you, by many effectual and great benefits, to add the aſſurance and comfort of your love and favour, to that precedent diſpoſition, which was in me, to admire your Virtue and Merit; I do eſteem whatſoever I have, or may have, in this World, but as Traſh, in compariſon of having the honour and happineſs, to be a near and well accepted Kinſman, to ſo rare and worthy a *Counſellor*, *Governour*, and *Patriot*. For having been a Studious, if not a curious obſerver of Antiquities of Virtue, as of late Pieces; I forbear to ſay to your Lordſhip what I find and conceive; but to any other I would think to make my ſelf believed. But not to be tedious in that which may have the ſhew of a Complement, I can but wiſh your Lordſhip, many happy years; many more than your Father had; Even ſo many more, as we may need you more. So I remain.

XXVI.

XXVI.

To Mr. Mathew.

Mr. Mathew,

DO not think me forgetful, or altered towards you: But if I ſhould ſay, I could do you any good, I ſhould make my power more than it is. I do hear that, which I am right ſorry for; That you grow more impatient and buſie, than at firſt; which maketh me exceedingly fear the iſſue of that which ſeemeth not to ſtand at a ſtay. I my ſelf am out of doubt, that you have been miſerably abuſed, when you were firſt *ſeduced:* But that which I take in compaſſion, others may take in ſeverity. I pray *God*, that underſtandeth us all, better than we underſtand one another, contain you (even as I hope he will) at the leaſt, within the bounds of Loyalty to his Majeſty, and Natural Piety towards your Country. And I intreat you much, ſometimes, to meditate upon the extreme effects of *Superſtition*, in this laſt *Powder-Treaſon*; fit to be Tabled and Pictured, in the Chambers of *Meditation*, as another *Hell*, above the Ground; and well juſtifying the Cenſure of the Heathen; That *Superſtition is far worſe than Atheiſm:* By how much it is leſs evil, to have no opinion of *God* at all; than ſuch as is impious, towards his Divine Majeſty and Goodneſs (*a*). Good Mr. *Mathew*, receive your ſelf back from theſe Courſes of Perdition: Willing to have written a great deal more, I continue, *&c.*

(*a*) Sir *Francis Bacon* repeats this Obſervation of *Plutarch*'s in his Eſſays, in the Chapter of *Superſtition.*

XXVII.

To Mr. Mathew.

SIR,

TWO Letters of mine are now already walking towards you; but ſo that we might meet, it were no matter though our Letters ſhould loſe their way. I make a ſhift in the mean time to be glad of your Approaches, and would be more glad to be an *Agent* for your *Preſence*, who have been a *Patient* for your *Abſence*. If your Body by indiſpoſition make you acknowledge the healthful air of your Native Country; much more do I aſſure my ſelf that you continue to have your mind no way eſtranged. And as my Truſt with the State is above ſuſpicion, ſo my Knowledge, both of your Loyalty and honeſt Nature will ever make me ſhew my ſelf your Faithful Friend, without ſcruple: You have reaſon to commend that Gentleman to me, by whom you ſent your laſt, although his having Travelled ſo long amongſt the ſadder Nations of the World, make him much the leſs eaſie upon ſmall acquaintance to be underſtood. I have ſent you ſome Copies of my Book of the *Advancement*, which you deſired, and a little work of my Recreation, which you deſired not. My *Inſtauration* I reſerve for our Conference; it ſleeps not. Theſe Works of the *Alphabet* are in my opinion of leſs uſe to you where you are now, than at *Paris*; and therefore I conceived, that you had ſent me a kind of tacite Countermand of your former requeſt. But in regard that ſome Friends of yours have ſtill inſiſted here, I ſend them to you; and for my part, I value your own reading

ing

ing more than your publiſhing them to others. Thus in extream haſte, I have ſcribled to you I know not what, which therefore is the leſs affected, and for that very reaſon will not be eſteemed the leſs by you.

XXVIII.

To Sir George Carew. (*a*)

My very Good Lord,

BEing asked the Queſtion by this Bearer, an Old Servant of my Brother *Anthony Bacon*'s, whether I would command him any thing into *France*; and being at better leiſure than I would, in regard of Sickneſs; I began to remember, that neither your Buſineſs, nor mine, (though great and continual) can be, upon an exact account, any juſt occaſion, why ſo much good will as hath paſſed between us, ſhould be ſo much diſcontinued, as hath been. And therefore, becauſe one muſt begin, I thought to provoke your Remembrance of me by a Letter: And thinking to fit it with ſomewhat, beſides Salutations, it came to my mind, that this laſt Summer Vacation, by occaſion of a Factious Book, that endeavoured to verifie, *Miſera Fœmina*, (the Addition of the *Pope's Bull*) upon *Queen Elizabeth*;

(*a*) Sir *George Carew* of the Family of the *Carews* in *Cornwal*, was made a Maſter of the Court of *Chancery* in the time of Queen *Elizabeth*; and in the year 1597, ſent her Ambaſſador into *Poland*; and in 1606 went unto the Court of *France* with the like Character. After about three years Continuance, he was recalled by the King to make uſe of his Services at home; but he ſurviv'd not many years. *Monſieur de Thou* in a Letter to Mr *Cambden* in 1613 very much laments his Death; loſing thereby a Friendſhip he much valued, and an aſſiſtance the proſecution of his Hiſtory would not a little require. Having receiv'd the like from him in that part which relates to the Diſſentions between the *Poles* and the *Swedes* in the year 1598, as appears before the Contents of the 121*ſt* Book of his Hiſtory.

I did

I did write a few Lines in her *Memorial* (*b*), which I thought you would be pleaſed to read, both for the Argument; and becauſe you were wont to bear affection to my Pen, *Verùm, ut aliud ex alio*, if it came handſomely to paſs, I would be glad the *Preſident de Thou*, (who hath written an *Hiſtory*, as you know, of that Fame and Diligence) ſaw it; Chiefly, becauſe I know not whether it may not ſerve him for ſome uſe in his Story; wherein, I would be glad, he did right to the truth, and to the memory of that *Lady*, as I perceive by that he hath already written, he is well inclined to do. I would be glad alſo, it were ſome occaſion, (ſuch as abſence may permit) of ſome acquaintance, or mutual notice between us. For though he hath many ways the precedence (chiefly in worth) yet this is common to us both, that we ſerve our Sovereigns in places of Law eminent: And not our ſelves only, but our Fathers did ſo before us. And laſtly, that both of us love *Learning*, and *Liberal Sciences*, which was ever a bond of Friendſhip, in the greateſt diſtance of places. But of this I make no farther requeſt, than your Occaſions and reſpects (to me unknown) may further or limit; my principal purpoſe being to ſalute you, and to ſend you this Token. Whereunto I will add my very kind Commendations to my *Lady*; and ſo commit you both to God's holy Protection.

(*b*) Of the Memorial here mention'd I have given an account in the Introduction.

XXIX.

XXIX.

To the KING.

It may pleaſe your Excellent Majeſty,

I Know not better how to expreſs my good Wiſhes of a *New-year* to your Majeſty, than by this little *Book*, which in all humbleneſs I ſend you *. The ſtyle is a ſtyle of Buſineſs rather than Curious or Elaborate. And herein I was encouraged by myExperience of your Majeſty's former Grace, in accepting of the like poor *Field-fruits* touching the *Union.* And certainly I reckon this action as a ſecond Brother to the Union. For I aſſure my ſelf that *England*, *Scotland* and *Ireland* well united, is ſuch a *Trefoyle* as no Prince except your ſelf (who are the Worthieſt) weareth in his Crown; † *Si Potentia reducatur in actum.* I know well, that for me to beat my Brains about theſe things, they be * *Majora quàm pro Fortunâ*; But yet they be || *minora quàm pro ſtudio, ac voluntate.* For as I do yet bear an extreme zeal to the memory of my old Miſtreſs Queen *Elizabeth*; to whom I was rather bound for her Truſt than her Favour; ſo I muſt acknowledge my ſelf more bound to your Majeſty both for Truſt and Favour; whereof I will never deſire the one as I can never deſerve the other. And ſo in all humbleneſs kiſſing your *Majeſty*'s Sacred Hand, I remain.

* This is Publiſhed in the *Reſuſcitatio*, pag. 255.

† If Power be reduced into action.

* Greater than my Abilities.

|| Leſs than my Endeavours and Deſires.

XXX.

XXX.

To the Biſhop *of* Ely, *upon ſending his* Writing, *Entituled*, Cogitata & Viſa.

My very Good Lord,

NOW your Lordſhip hath been ſo long in the *Church*, and the *Palace*, diſputing between *Kings*, and *Popes* (*a*); Methinks, you ſhould take pleaſure to look into the *Field*, and refreſh your mind, with ſome *Matter*

(*a*) The King and Kingdom being very much exaſperated by the Barbarous Deſign of the *Gun-Powder Treaſon*; thought it neceſſary to make ſome more effectual Laws to diſtinguiſh between thoſe *Papiſts* that would pay a due obedience to the King, and thoſe that would not. For which end, at the Parliament which met upon the Memorable *Fifth* of *November* 1605, a New Oath of Allegiance was framed; Declaring that the *Pope*, &c. had no power to Depoſe Kings, Abſolve their Subjects, or diſpoſe of their Kingdoms, *&c.* The Court of *Rome*, jealous of loſing an Authority, they had been many years aſſuming, and eſpecially perceiving that many *Papiſts* ſubmitted to the Oath, as not intrenching upon matters of Faith and Conſcience; ſeverely inhibited them from taking the ſame, by two *Briefs*; the one quickly ſucceeding the other. The King on the other hand eſteeming it a Point that nearly concerned him, had recourſe to thoſe Arms he knew beſt how to manage, and encountred the *Briefs* by a *Premonition* directed to all Chriſtian Princes, exhorting them to eſpouſe the common Quarrel. Cardinal *Bellarmine* who by virtue of his Title, thought himſelf almoſt equal to Princes, and of his great Learning and Reading in Controverſial matters much ſuperior, enters into the Liſts with a Crown'd Head. The *Seconds* coming in on both Sides; no Man was thought fitter to engage this remarkable Antagoniſt than this great and renowned Prelate in Learning and Sanctity, Dr. *Andrews* than Biſhop of *Ely*, and after of *Wincheſter*. Neither were the Reformed of the *French* Church idle Spectators. As *Monſieur du Moulin*, and *Monſieur du Pleſſis Mornay*. This laſt Publiſhed a Book at *Saumur* in 1611, Entituled the *Myſtery* of *Iniquity*, &c. ſhewing by what degrees the Biſhops of *Rome* had raiſed themſelves to their preſent Grandeur, and aſſerting the Right of Sovereign Princes againſt the Poſitions of the Cardinals *Bellarmine* and *Baronius*. The *French* Edition whereof he Dedicated to *Lewis* the Thirteenth, and the *Latin* to King *James*, and preſents the Book to him, with a Letter exhorting him, *De quitter d'oreſenavant la Plume, pour aller L'Eſpe a la main deſnicher l'Antichriſt hors de ſa Forteresſe*:

To

Matter of *Philoſophy*; Though that *Science*, be now, through Age, waxed a Child again, and left to Boys, and young Men. And becauſe you were wont to make me believe, you took liking to my Writings, I ſend you ſome of this Vacations Fruits; And thus much more, of my mind and purpoſe. I haſten not to Publiſh; periſhing I would prevent. And I am forced, to reſpect, as well my Times, as the Matter. For with me it is thus; and I think with all Men in my Caſe: If I bind my Self, to an Argument, it loadeth my Mind; But if I rid my Mind, of the preſent Cogitation, it is rather a Recreation. This hath put me into theſe *Miſcellanies*; which I purpoſe to ſuppreſs, if God give me

To give over waging a War with his Pen, but to deſtroy the Papal Power with his Sword. Which he excites the King to attempt in the Concluſion of his Dedication, with ſo much life that I ſhall crave the liberty to inſert part of his own words, in order to declare the ſpirit and zeal of a Gentleman, who for his Valour and Conduct in War, his Judgement in Counſel, his Dexterity in Diſpatches, and his Firmneſs and Conſtancy in Religion; in the Defence of which both Hand, and Tongue, and Pen was employ'd, is far above all the Titles of Honour that mine can give.

Hanc tu, Rex Potentiſſime, laudem, hanc lauream, abſit ut tibi præripi patiaris; cuiquam alii ſervatam velis; Non ſanguine, non vitâ, non carioribus cæteris redemptam malis. At tu Jehova Deus, *cujus res, cujus gloria hîc propriè agitur; cujus abſque ope, fruſtra ſint vota, ſuſpiria, molimina noſtra; evigila, exurge, robur indue, Juſtitiam, ut Loricam. Voca ſervum tuum per nomen ſuum, prehende dexteram Uncti tui, ambula ante Faciem ejus; Complanentur valles, ſubſidant Montes, conſternantur Fluvii, pateant Januæ, conterantur vectes, contremiſcant Populi, Corruat Jericho illa in Spiritu Oris tui in conſpectu ejus. Ego ſexagenariò licet jam Major, lateri tunc ipſius hæream indivulſus; inter anguſta, inter Aſpera* Alpium *ſenectam exuam; inter Principia Prælium miſceam; inter Triumphos præcinente Angelo* Cecidit *illud congeminem; Sanctæ huic lætitiæ totus immergar, æternæ contiguus immoriar raptus*

But this was an Enterprize ſuited to the Warlike Genius of *Du Pleſſis*, Great Maſter *Henry* the Fourth, and not to the peaceable ſpirit of K. *James*. Beſides the King in his Anſwer of the 20th of *October* 1611, (after he had excuſed his long ſilence, and very much commended this Author in the deſign of his Book, and as freely call'd the Pope Antichriſt, and *Rome* Babylon) conceives that neither the Scriptures, nor Doctrine, or Example of the Primitive Church, would ſufficiently juſtifie an Offenſive War undertaken purely for Religion; could he in Prudence expect any ſucceſs in ſuch an attempt.

leave, to write, a juſt, and perfect Volume of Philoſophy, which I go on with, though ſlowly. I ſend not your Lordſhip, too much, leſt it may glutt you. Now let me tell you, what my Deſire is; If your Lordſhip be ſo good now, as when you were the good *Dean* of *Weſtminſter*, my requeſt to you is; That not by Pricks, but by Notes, you would mark unto me, whatſoever ſhall ſeem unto you, either not current in the Stile; Or harſh to credit, and Opinion; Or inconvenient, for the Perſon, of the Writer. For no Man, can be Judge, and Party: And when our Minds judge, by Reflexion of our Selves, they are more ſubject to Error. And though, for the Matter it ſelf, my Judgement, be, in ſome things, fixed, and not Acceſſible by any Man's Judgement, that goeth not my way; yet even in thoſe Things, the Admonition of a Friend, may make me, expreſs my Self, diverſly. I would have come to your Lordſhip, but that I am haſtening to my Houſe, in the Country. And ſo I commend your Lordſhip to God's Goodneſs.

XXXI.

To Sir Tho. Bodley, *after he had imparted to him, a* Writing, *Entituled,* Cogitata & Viſa.

SIR,

IN reſpect of my Going down to my Houſe, in the Country, I ſhall have miſs of my *Papers*, which I pray you therefore to return unto me. You are, I bear you witneſs, Slothful, and you help me nothing; So as I am half in conceit, that you affect not the Argument: For my Self, I know well, you love, and affect. I can ſay no more to you, But, *Non canimus Surdis, reſpondent omnia*

omnia Sylvæ. If you be not of the Lodgings, chaulked up, (whereof I ſpeak in my Preface,) I am but to paſs by your Door. But if I had you, but a Fortnight, at *Gorhambury*, I would make you tell me another Tale; or elſe, I would add a Cogitation, againſt *Libraries*, and be revenged on you that way. I pray, ſend me ſome good News, of Sir *Tho. Smith:* And commend me very kindly to him. So I reſt.

XXXII.

To Mr. Mathew, *upon ſending to him a part of* Inſtauratio Magna.

Mr. Mathew,

I Plainly perceive by your affectionate Writing, touching my Work, that one and the ſame Thing, affecteth us both; which is, the good End, to which it is dedicate. For as to any Ability of mine, it cannot merit, that Degree, of Approbation. For your Caution for Church-Men, and Church-Matters; As for any Impediment, it might be, to the Applauſe, and Celebrity, of my Work; It moveth me not; But as it may hinder the Fruit, and Good, which may come, of a quiet, and calm paſſage, to the good Port, to which it is bound, I hold it a juſt reſpect; So as to fetch a fair Wind, I go not too far about. But the Troth is, that I, at all, have no occaſion, to meet them, in my way; Except it be, as they will needs confederate themſelves, with *Ariſtotle*, who, you know, is intemperately magnified, by the *School-Men*; And is alſo allied, as I take it, to the *Jeſuits*, by *Faber*, who was a Companion of *Loyola*, and a great *Ariſtotelian*. I ſend you, at this time, the onely part, which hath any

Harſhneſs; And yet, I framed to my Self, an Opinion, that whoſoever allowed well, of that Preface, which you ſo much commend, will not diſlike, or at leaſt ought not to diſlike, this other Speech of Preparation: For it is written, out of the ſame Spirit, and out of the ſame Neceſſity: Nay, it doth more fully lay open, that the *Queſtion* between *me*, and the *Antients*, is not, of the Vertue of the Race, but of the Rightneſs of the Way. And to ſpeak truth, it is to the other, but as *Palma* to *Pugnus*, part of the ſame Thing more large. You conceive aright, that in this, and the other, you have Commiſſion, to impart, and cómmunicate them, to others, According to your Diſcretion. Other Matters I write not of. My ſelf, am like the Miller of *Granceſter*, that was wont to pray, for Peace, amongſt the Willows; For while the Winds blew, the Wind-mills wrought, and the Water-mill, was leſs cuſtomed. So I ſee, that Controverſies of Religion, muſt hinder the Advancement of Sciences. Let me conclude, with my perpetual Wiſh, towards your Self; That the Approbation of your Self, by your own diſcreet, and temperate carriage may reſtore *you* to your *Country* and your *Friends* to your *Society*. And ſo I commend you to God's Goodneſs.

Grays-Inn, Octob. 10. 1609.

XXXIII.

To Mr. Mathew.

SIR,

I Thank you for your laſt, and pray you to believe, that your Liberty in giving opinion of thoſe Writings which I ſent you, is that which I ſought, which I expected, and which I take in exceeding good part; ſo

ſo good, as that it makes me recontinue, or rather continue my hearty wiſhes of your Company here, that ſo you might uſe the ſame liberty concerning my actions, which now you exerciſe, concerning my Writings. For that of *Queen Elizabeth* your Judgment of the temper, and truth of that part, which concerns ſome of her Foreign proceedings, concurs fully with the Judgment of others, to whom I have communicated part of it; and as things go, I ſuppoſe they are more likely to be more and more juſtified, and allowed. And whereas you ſay, for ſome other part, that it moves and opens a fair occaſion, and broad way, into ſome field of Contradiction; On the other ſide, it is written to me from the Leiger at *Paris*, and ſome others alſo that it carries a manifeſt impreſſion of truth with it, and it even convinces, as it goes. Theſe are their very words; which I write not for mine own Glory, but to ſhew what variety of Opinion riſes from the diſpoſition of ſeveral Readers. And I muſt confeſs my deſire to be, that my *Writings* ſhould not Court the preſent time, or ſome few places in ſuch ſorts as might make them either leſs General to Perſons, or leſs permanent in future Ages. As to the *Inſtauration*, your ſo full approbation thereof, I read with much Comfort, by how much more my *heart* is upon it; and by how much leſs I expected conſent, and concurrence, in matter ſo obſcure. Of this I can aſſure you, that though many things of great hope, decay with Youth, (and multitude of Civil Buſineſſes, is wont to diminiſh the Price, though not the delight of Contemplations) yet the proceeding in that *Work* doth gain with me upon my Affection, and deſire, both by Years, and Buſineſſes. And therefore, I hope, even by this, that it is well pleaſing to God, from whom, and to whom, all good moves. To him I moſt heartily commend you.

XXXIV.

XXXIV.

To Mr. Mathew.

Mr. Mathew,

I Heartily thank you, for your *Letter*, of the 10th of *February*; And am glad, to receive, from you, Matter, both of Encouragement, and of Advertiſement, touching my *Writings*. For my part, I do wiſh, that ſince there is, no *Lumenſiccum*, in the World. But all *Madidum*, and *Maceratum*, infuſed in Affections, and Bloods or Humours, (*a*) that theſe Things of mine, had thoſe Separations, that might make them more acceptable: So that they claim not, ſo much Acquaintance, of the preſent times, as they be thereby, the leſs apt to laſt. And to ſhew you, that I have ſome Purpoſe, to new-mould them; I ſend you, a Leaf, or two, of the Preface, carrying ſome Figure of the whole *Work*. Wherein, I purpoſe, to take that, which I count real, and effectual, of both *Writings*; And chiefly, to add a Pledge, (if not Payment,) to my Promiſes, I ſend you alſo, a *Memorial*, of *Queen Elizabeth*; To requite your *Elogy*, of the late *Duke* of *Florence*'s Felicity (*b*). Of this, when you were here, I ſhewed you ſome Model; At

(*a*) In this place our Author alludes to one of the Dark ſayings of *Heraclitus*, That *Dry Light is ever the beſt*, which in another place he thus expounds. Certainly the Light that a Man receiveth by *Counſel* from another is Drier and Purer than that which cometh from his own *Underſtanding* and *Judgment*, which is ever infuſed and drenched in his *Affections*.

(*b*) This Duke of *Florence* was named *Ferdinand* of the Houſe of *Medici*; whoſe Memory Sir *Henry Wotton* has Celebrated in a particular Letter Printed in his *Remains*, and preſented to King *Charles* the Firſt, and *Piaſecius* the Biſhop of *Premiſta* in *Poland*, begins his Chronicle of the year 1609, with an account of his death; and ſums up his Character in theſe words: *Princeps animo excelſo, & omnibus Politicis artibus in tantum inſtructus, ut in multis ſeculis vix æqualem habuerit.*

what

what time, methought, you were more willing, to hear *Julius Cæſar*, than *Queen Elizabeth*, commended. But this, which I ſend, is more full, and hath more of the Narrative. And further, hath one part, that, I think, will not be diſagreeble, either to you, or that Place; Being the true Tract, of her Proceedings, towards the *Catholiques*, which are infinitely miſtaken. And though I do not imagin, they will paſs allowance there, yet they will gain upon Excuſe. I find Mr. *Le-Zure*, to uſe you well, (I mean his Tongue of you,) which ſhews you, either honeſt, or wiſe. But this I ſpeak merrily. For in good faith, I do conceive hope, that you will ſo govern your Self, as we may take you as aſſuredly for a good *Subject*, and *Patriot*, as you take your Self for a good *Chriſtian*; And ſo we may again enjoy your Company, and you your Conſcience, if it may no other ways be. For my part, aſſure your Self, (as we ſay in the Law,) *mutatis mutandis*, my love, and good wiſhes to you, are not diminiſhed. And ſo I remain.

XXXV.

To Mr. Mathew, *upon ſending his* Book, De Sapientia Veterum.

Mr. *Mathew*,

I Do very heartily thank you, for your Letter of the 24th of *Auguſt*, from *Salamanca*; And in recompence thereof, I ſend you, a little Work of mine, that hath begun, to paſs the World. They tell me, my Latin is turn'd into Silver, and become current: Had you been here, you ſhould have been my Inquiſitor, before it came forth. But I think, the greateſt Inquiſitor

in

in *Spain*, will allow it. But one thing, you muſt pardon me, if I make no haſte to believe, That the World ſhould be grown to ſuch an Ecſtacy, as to reject Truth in *Philoſophy*, becauſe the Author diſſenteth in *Religion:* No more than they do, by *Ariſtotle* or *Averroes*. My great *Work* goeth forward, ; And after my manner, I alter ever, when I add. So that nothing is finiſhed, till all be finiſhed. This I have written, in the midſt of a Term, and Parliament ; thinking no time ſo poſſeſſed, but that I ſhould talk of theſe Matters, with ſo good and dear a Friend. And ſo with my wonted Wiſhes I leave you to God's goodneſs.

From *Grays Inn*
Feb. 27. 1610.

XXXVI.

To the KING.

It may pleaſe your moſt Excellent Majeſty.

I Do underſtand by ſome of my good Friends, to my great Comfort, that your Majeſty , hath in mind, your Majeſties Royal Promiſe, (which to me is *Anchora Spei*,) touching the *Atturney*'s Place. I hope, Mr. *Atturney* ſhall do well. I thank *God*, I wiſh no Man's Death; Nor much mine own Life, more than to do your Majeſty Service. For I account my Life the Accident, and my Duty the Subſtance. But this, I will be bold to ſay. If it pleaſe *God*, that ever I ſerve your Majeſty, in the *Atturney*'s place, I have known an Atturney *Cooke*, and an Atturney *Hobert*; Both worthy Men, and far above my Self : But if I ſhould not find, a Middle way, between their two Diſpoſitions, and Carriages, I ſhould not ſatisfy my Self. But theſe things are far, or near, as it ſhall pleaſe God.

Mean

Mean while, I moſt humbly pray your Majeſty, to accept my Sacrifice of Thanksgiving, for your Gracious Favour. *God* preſerve your Majeſty. I ever remain.

XXXVII.

To the KING.

It may pleaſe your Majeſty.

YOur great, and Princely, Favours towards me, in Advancing me to Place; And that, which is to me, of no leſs comfort, your Majeſties benign, and gracious Acceptation, from time to time, of my poor Services, much above the Merit, and Value of them; Hath, almoſt, brought me to an Opinion, that I may ſooner (perchance,) be wanting, to my Self, in not asking; Than find your Majeſties Goodneſs wanting to me, in any my reaſonable, and modeſt deſires. And therefore, perceiving, how at this time, Preferments of *Law* fly about mine Ears; to ſome above me, and to ſome below me; I did conceive, your Majeſty may think it, rather a Kind of Dulneſs, or want of Faith, than Modeſty, if I ſhould not come, with my *Pitcher* to *Jacob's Well*, as others do. Wherein I ſhall propound to your Majeſty, that which tendeth, not ſo much, to the Raiſing of my Fortune, as to the ſettling of my Mind; Being ſometimes aſſailed with this Cogitation; That by reaſon of my Slowneſs, to ſee, and apprehend ſuddain Occaſions; keeping on one plain Courſe of painful Service; I may, (*in fine dierum*,) be in danger, to be neglected, and forgotten. And if that ſhould be, then were it much better for me, now while I ſtand in your Majeſties good Opinion, (though unworthy,) and have ſome little Reputation, in the World, to give over the Courſe I am in, and to make proof, to do you

ſome Honour, by my *Pen*, either by writing, ſome faithful *Narrative*, of your Happy, (though not untraduced,) Times; or by recompiling your *Laws*, (which, I perceive, your Majeſty laboureth with; And hath in your Head, as *Jupiter* had *Pallas*;) Or ſome other the like Work: (For without ſome Endeavour to do you Honour, I would not live;) Than to ſpend my Wits, and Time, in this laborious place, wherein I now ſerve; If it ſhall be deprived, of thoſe outward Ornaments, which it was wont to have, in reſpect of an Aſſured Succeſſion, to ſome Place, of more Dignity, and Reſt: Which ſeemeth now, to be an Hope, altogether Caſual, if not wholly intercepted. Wherefore, (not to hold your Majeſty long,) my humble Sute, to you, is that, than the which, I think, I cannot well go lower; which is, that I may obtain, your Royal Promiſe, to ſucceed, (if I live,) into the *Attorney*'s Place, whenſoever it ſhall be void: It being, but the Natural, and Immediate Step, and Riſe, which the Place, I now hold, hath ever, (in ſort) made claim to, and almoſt never failed of. In this Sute, I make no Friends to your Majeſty, but rely upon no other Motive, but your Grace; nor any other Aſſurance, but your Word; whereof I had good Experience, when I came to the *Sollicitor*'s Place; That it was like, to the Two great Lights, which in their Motions, are never Retrograde. So with my beſt Prayers, for your Majeſties Happineſs, I reſt:

XXXVIII.

XXXVIII.

To the Earl *of* Salisbury Lord Treaſurer.

It may pleaſe your Good Lordſhip,

I would intreat the *New Year* to anſwer for the *Old*, in my humble Thanks to your Lordſhip; both for many your Favours, and chiefly upon the Occaſion of Mr. *Attorney*'s Infirmity; I found your Lordſhip even as I could wiſh. This doth increaſe a Deſire in me, to expreſs my thankful Mind to your Lordſhip: Hoping that though I find Age and Decays grow upon me, yet I may have a Flaſh or two of Spirit, left to do you Service, And I do proteſt before God without Complement, or any light Vanity of Mind; That if I knew in what Courſe of Life to do you beſt Service, I would take it, and make my Thoughts which now fly to many Pieces, to be reduced to that Center. But all this is no more but that I am; which is not much: But yet the entire of him, that is *&c.*

XXXIX.

To my Lord Mayor.

My very good Lord,

I Did little expect, when I left your Lordſhip laſt, that there would have been, a Proceeding againſt Mr. *Barnard*, to his Overthrow. Wherein I muſt confeſs my Self, to be, in a ſort, Acceſſary: Becauſe, he relying upon me, for Counſel, I adviſed that Courſe, which he followed. Wherein now I begin, to queſtion my ſelf, whether in preſerving my Reſpects, unto

your Lordſhip, and the Reſt, I have not failed, in the Duty, of my Profeſſion, towards my Client. For certainly, if the words had been hainous, and ſpoken in a malicious faſhion, and in ſome publick place, and well proved; And not a Prattle, in a Tavern, caught hold of by one, who, (as I hear) is a detected Sycophant (*Standiſh* I mean;) yet I know not, what could have been done more, than to impoſe upon him, a grievous Fine; And to require, the levying of the ſame; And to take away his means of Life, by his Disfranchiſement; And to commit him, to a Defamed Priſon, during Chriſtmas; In Honour whereof, the Priſoners, in other Courts, do, commonly, of grace, obtain ſome Enlargement. This Rigor of Proceeding, (to tell your Lordſhip, and the reſt, as my good Friends, my Opinion, plainly,) tendeth not to ſtrengthen Authority, which is beſt ſupported, by *Love*, and *Fear* intermixed; But rather, to make People diſcontented, and Servile; eſpecially, when ſuch Puniſhment is inflicted, for words, not by Rule of *Law*, but by a *Juriſdiction* of *Diſcretion*, which would evermore, be moderately uſed. And I pray God, whereas Mr. *Recorder*, when I was with you, did well, and wiſely, put you in mind, of the Admonitions, you often received from my *Lords*, that you ſhould bridle unruly Tongues; That thoſe kind of Speeches, and Rumours, whereunto thoſe Admonitions do refer, which are concerning the *State*, and Honour thereof, do not paſs too licentiouſly, in the *City* unpuniſhed; while theſe Words, which concern your particular, are ſo ſtraightly enquired into, and puniſhed with ſuch Extremity. But theſe Things, your own wiſdom, (firſt or laſt,) will beſt repreſent unto you. My writing unto you at this time is, to the end, that howſoever I do take it ſomewhat unkindly, that my Mediation prevailed no more; yet

that

that I might preſerve, that further Reſpect, that I am willing to uſe, unto ſuch a State, in delivering my Opinion, unto you, freely, before I would be of Counſel, or move any thing, that ſhould croſs your Proceedings; which, notwithſtanding, (in caſe, my Client, can receive no Relief, at your hands,) I muſt, and will do. Continuing, nevertheleſs, in other Things, my wonted good Affection, to your Selves, and your Occaſions.

XL.

To Sir Vincent Skinner.

Sir Vincent Skinner.

I See that by your needleſs delays, this matter is grown to a new Queſtion; wherein for the matter it ſelf, if it had been ſtayd at the beginning by my Lord *Treaſurer*, and Mr. *Chancellour*, I ſhould not ſo much have ſtood upon it. For the great and daily Travels which I take in his Majeſties Service, either are rewarded in themſelves, in that they are but my Duty, or elſe may deſerve a much greater Matter. Neither can I think amiſs of any Man that in furtherance of the King's Benefit moved the Doubt that knew not what Warrant I had. But my Wrong is, That you, having had my Lord Treaſurer's and Mr. Chancellor's Warrant for Payment above a month ſince; You, I ſay, (making your Payments belike, upon ſuch Differences, as are better known to your ſelf, than agreeable to the Reſpect of his Majeſty's Service;) have delayd all this time otherwiſe than I might have expected from our ancient Acquaintance, or from that Regard which one in your Place may owe to one in mine. By Occaſion whereof there enſueth to me a greater Inconvenience;

ence ; that now my Name, in ſort, muſt be in Queſtion among you, as if I were a Man likely to demand that which were unreaſonable ; or be denyed that which is Reaſonable : And this muſt be, becauſe you can pleaſure Men at Pleaſure. But this I leave with this : That it is the firſt Matter wherein I had Occaſion to diſcern of your Friendſhip, which I ſee to fall to this ; That whereas Mr. *Chancellor*, the laſt time, in my Man's hearing, very honourably ſaid, That he would not diſcontent any Man in my Place ; it ſeems you have no ſuch Caution. But my Writing to you now, is to know of you where now the ſtay is, without being any more beholding to you, to whom, indeed, no Man ought to be beholden in thoſe Caſes in a right Courſe. And ſo I bid you Farewel.

Fra. Bacon.

XLI.

To Sir Henry Saville. *(a)*

SIR,

COming back from your Invitation at *Eton*, where I had refreſhed my ſelf with Company, which I loved ; I fell into a Conſideration, of that part, of *Policy*, whereof *Philoſophy* ſpeaketh too much, and

(*a*) So much might be ſaid to the Honour of Sir *Henry Saville*, and yet ſo little need to be ſaid, by reaſon of the great Name he hath acquired through his Noble Edition of St. *Chryſoſtom* and his other learned Works ; That I ſhall only tell the Reader, that he was many years Warden of *Merton College* in *Oxford*, (in which Univerſity he Founded a Geometry and Aſtronomy Lecture) and Provoſt of *Eaton*, both noted Seminaries of Learning. To this Gentleman, as of all the moſt proper, Sir *Fra. Bacon* ſends this Diſcourſe touching *Helps for the Intellectual Powers in Youth*, which may be found in the *Reſuſcitatio pa.* 225. but it being purpoſely left an imperfect Eſſay to imitate others ; He places this uſeful Subject, among the Deficients reckon'd up in his *Advancement of Learning*.

Laws

Laws too little; And that is, of *Education* of *Youth*. Whereupon, fixing my mind, a while, I found ſtraightways, and noted, even in the Diſcourſes of Philoſophers, which are ſo large in this Argument, a ſtrange Silence, concerning one principal part of that Subject. For as touching the Framing, and Seaſoning of *Youth*, to *Moral Vertues*; (as Tolerance of Labours, Continency from Pleaſures, Obedience, Honor, and the like;) They handle it; But touching the Improvement, and helping, of the *Intellectual Powers*; as of Conceit, Memory, and Judgement, they ſay Nothing; Whether it were, that they thought it to be a Matter, wherein Nature only prevailed; or that they intended it, as referred, to the ſeveral and proper *Arts*, which teach, the uſe, of *Reaſon*, and *Speech*. But for the Former of theſe two reaſons, howſoever, it pleaſeth them, to diſtinguiſh, of *Habits*, and *Powers*; the Experience is manifeſt enough, that the Motions, and Faculties, of the Wit, and Memory, may be not only Governed, and Guided, but alſo Confirmed, and Enlarged, by Cuſtoms, and Exerciſe dayly applyed: As if a Man Exerciſe Shooting, he ſhall not only ſhoot nearer the Mark, but alſo draw a ſtronger Bow. And as for the latter, of Comprehending theſe Precepts, within the *Arts*, of *Logick*, and *Rhetorick*; if it be rightly conſidered, their Office is diſtinct, altogether, from this point; For it is no part, of the Doctrine, of the uſe, or Handling of an Inſtrument, to teach how to whet or grind the Inſtrument to give it a ſharp edge; Or how to quench it, or otherwiſe, whereby to give it a ſtronger Temper. Wherfore, finding this part of Knowledge, not broken, I have, but *tanquam aliud agens*, entred into it, and ſalute you with it; *Dedicating it*, after the *Antient manner*, firſt as to a *dear Friend*; And then as to an *Apt perſon*; for as much, as you have, both

both place, to practiſe it, and Judgment, and Leiſure, to look deeper into it, than I have done. Herein you muſt call to mind, † Ἄριστον μὲν ὕδωρ. Though the Argument be not of great heighth, and Dignity, Nevertheleſs, it is of great and univerſal Uſe. And yet I do not ſee, why, to conſider it rightly; That ſhould not be a Learning of heighth, which teacheth to raiſe, the higheſt, and worthieſt, part of the Mind. But howſoever that be, if the World take any *light* and *uſe* by this Writing, I will, the Gratulation be, to the Good Friendſhip, and Acquaintance, between us two. And ſo recommend you, to God's Divine protection.

† *This Saying of the Poet* Pindar, *That* Water is the Beſt, *became a kind of a Proverb, intimating, that common things of daily uſe are really more valuable, than rare things which are preferred before them.*

XLII.

To the KING.

It may pleaſe your Excellent Majeſty,

IT grieveth me exceedingly, that your Majeſty ſhould be ſo much troubled, with this Matter of *Peacham*; whoſe *Raging Devil*, ſeemeth to be turn'd into a *Dumb Devil.* But although, we are driven, to make our way, through Queſtions, (which I wiſh were otherwiſe,) yet I hope well, the End will be good. But then, every Man, muſt put too, his Helping Hand; For elſe, I muſt ſay to your Majeſty, in this, and the like Caſes, as St. *Paul* ſaid, to the *Centurion*, when ſome of the Mariners, had an Eye to the Cock-boat; *Except theſe ſtay in the Ship, ye cannot be ſafe.* I find, in my *Lords*, great, and worthy, Care, of the Buſineſs. And for my part, I hold my Opinion, and

and am ſtrengthened in it, by ſome *Records*, that I have found. *God* preſerve your *Majeſty:*

Your Majeſty's, moſt humble, and devoted
January 21. 1614. *Subject, and Servant.*

Fra. Bacon.

XLIII.

To the KING.

It may pleaſe your Excellent Majeſty,

THis Day, in the Afternoon, was read, your Majeſty's Letters, of Direction, touching *Peacham*; which becauſe it concerneth properly the Duty of my Place, I thought it fit, for me, to give your Majeſty, both a ſpeedy, and a private, Account thereof; That your Majeſty knowing Things clearly, how they paſs, may have the true Fruit, of your own Wiſdom, and clear-Seeing Judgment, in Governing the Buſineſs.

Firſt, for the Regularity, which your Majeſty, (as a Maſter in Buſineſs of Eſtate,) doth prudently preſcribe, in Examining, and taking Examinations, I ſubſcribe to it; Only, I will ſay for my Self; that I was not, at this time, the Principal Examiner.

For the Courſe, your Majeſty directeth, and commandeth, for the feeling of the *Judges* of the *Kings Bench*, their ſeveral Opinions, by diſtributing our Selves, and enjoining Secrecy; we did firſt, find an Encounter, in the Opinion, of my *Lord Cooke*; who ſeemed to affirm, that ſuch particular, and, (as he call'd it,) *Auricular* taking of Opinions, was not according to the Cuſtom of this Realm; And ſeemed to divine, that his Brethren, would never do it. But

when I replyed, that it was our Duty, to purſue your Majeſty's Directions; And it were not amiſs, for his Lordſhip, to leave his Brethren, to their own Anſwers; It was ſo concluded; and his Lordſhip, did deſire, that I mought confer with Himſelf; And Mr. Serjeant *Mountague*, was named, to ſpeak with Juſtice *Crook*; Mr. Serjeant *Crew*, with Juſtice *Houghton*; and Mr. *Solicitor*, with Juſtice *Dodderidge*. This done, I took my Fellows aſide, and adviſed, that they ſhould preſently ſpeak with the 3 Judges, before I could ſpeak with my *Lord Coke*, for doubt of *Infuſion*; And that they ſhould not, in any caſe, make any doubt to the Judges, as if they miſtruſted, they would not deliver any Opinion apart, but ſpeak reſolutely to them, and only make their Coming to be, to know, what time they would appoint, to be attended with the Papers. This ſorted not amiſs; for Mr. *Solicitor*, came to me, this Evening, and related to me, that he had found Judge *Dodderidge*, very ready, to give Opinion, in ſecret; (*a*) And fell upon the ſame *Reaſon*, which upon your Majeſty's firſt Letter, I had uſed to my *Lord Coke*, at the *Council Table*; which was, *that every Judge, was bound, expreſly, by his Oath, to give your Majeſty Counſel, when he was called*; And whether he ſhould do it, joyntly, or ſeverally, that reſted, in your Majeſty's good pleaſure, as you would require it. And though the Ordinary Courſe, was to aſſemble them, yet there

(*a*) Sir *John Dodderidge* was born in *Devonſhire*, bred in *Exeter College* in *Oxford*, and the middle Temple *London*: And having acquired the reputation of being a very great Common and Civil Lawyer, as well as a general Scholar; He was made Serjeant at Law 1. *Jacobi*, then the King's *Solicitor*, and after that the King's *Serjeant*, till he was advanced to be one of the *Judges* of the *King's Bench*, where he ſat many years, dying on the 13th of *September* 1628. in the 73. year of his Age. He was ſucceeded by Sir *George Crook*, who tells us, Sir *John Dodderidge* was a Man of great knowledge as well in the Common Law, as in other Sciences and Divinity.

mought

mought intervene Caſes, wherein the other Courſe was more convenient. The like Anſwer made *Juſtice Crook*, (*b*) *Juſtice Houghton*, who is a ſoft Man, (*c*) ſeem-

(*b*) Sir *John Crook*, eldeſt Son of Sir *John Crook* of *Chilton* in *Buckinghamſhire*, inherited his Father's Virtues and Fortunes, and was very famous for his Wiſdom, Eloquence, and Knowledge in our Laws. And being *Speaker* of the *Houſe* of *Commons* in the laſt Parliament of *Queen Eliz.* ſhe gave him this Commendation at the end thereof. *That he had proceeded therein with ſuch Wiſdom and Diſcretion, that none before him had deſerved better.* After he had been *Recorder* of *London* and *Serjeant* at *Law*, he was 5. *Jacobi* made one of the *Juſtices* of the *King's Bench*, where he continued till his death, which happened on the 23. of *January* 1619. He was Brother to Sir *George Crook* ſo well known to the Profeſſors of the common Laws by his 3 large Volumes of Reports. Which Sir *George* being made one of the Judges of the *Court* of *Common Pleas*, in the latter end of the Reign of K. *James*, was in a few years removed into the *King's Bench*: Where he ſate till the Year 1641. When by reaſon of his great Age and Infirmities, the King at his own requeſt gave him a gracious Diſcharge, as appears in the Preface to one of his Books, where a due Character is given of his Virtues by his Son in *Law* Sir *Harbottle Grimſton* late Maſter of the Rolls. But certainly nothing can raiſe in us a more lively Idea of his Merit, than part of a Letter written to the *Duke* of *Buckingham*, by the *Biſhop* of *Lincoln Lord Keeper* of the *great Seal*, and which I copyed from his own Hand.

May it pleaſe your Grace, *Weſtminſter Coll.* Feb. 11. 1624.

I will not trouble your Grace with any long Congratulation, for the Honour your Grace hath gained, in the preferring of this moſt worthy Man Sir *George Crook* to a Judge his Place. I know you muſt meet with the Applauſe of this Act from every Man that cometh from hence. In good Faith, I never obſerved in all my ſmall Experience any Accident in this kind, ſo generally and univerſally accompanied with the Acclamation of all kind of People.

I am importuned by the reſt of the *Judges* of the *Common Pleas*, to return their moſt humble and hearty Thanks to the King's Majeſty for his Choice, and to aſſure his Majeſty: That though his Majeſty hath been extraordinary Fortunate (above all his Predeceſſors) in the continual Election of moſt Worthy Judges; yet hath his Majeſty never placed upon any Bench, a Man of more Integrity and Sufficiency than this Gentleman. For which Act they do with Tears in their Eyes praiſe and bleſs him.

(*c*) This Expreſſion of a ſoft Man, ought to be underſtood in a Favourable ſenſe, ſince Sir *Geo. Croke* gives a more than ordinary Character of him. *Mem.* That in *Hilary Term*, 21. Jac. Sir *Robbert Houghton* died at *Serjeants Inn* in *Chancery Lane*, being a moſt reverend, prudent, learned and temperate Judge, and inferiour to none of his Time.

ed deſirous, firſt, to conſer; Alleging, that the other 3 Judges, had all ſerved the Crown, before they were Judges, but that he had not been much acquainted, with Buſineſs, of this Nature.

We purpoſe therefore, forthwith, they ſhall be made acquainted with the *Papers*; And if that could be done, as ſuddainly, as this was, I ſhould make ſmall doubt of their Opinions: And howſoever, I hope, Force of Law, and Preſident, will bind them to the Truth: Neither am I wholly out of hope, that my *Lord Coke* himſelf, when I have, in ſome dark manner, put him in doubt, that he ſhall be left alone, will not continue ſingular.

For *Owen*, I know not the reaſon, why there ſhould have been no mention made thereof, in the laſt Advertiſement; For I muſt ſay for my Self, that I have loſt no moment of Time in it, as my *Lord of Canterbury* can bear me witneſs. For having received, from my Lord, an *Additional*, of great Importance; which was, that *Owen*, of his own Accord, after Examination, ſhould compare the Caſe of your Majeſty, (if you were *Excommunicate*,) to the Caſe, of a Priſoner, condemned at the Barr; which *Additional* was ſubſcribed by one Witneſs; but yet I perceived it was ſpoken aloud, and in the Hearing of others; I preſently ſent down a Copy thereof, which is now come up, atteſted with the Hands of 3 more, leſt there ſhould have been, any Scruple, of * *Singularis Teſtis*; ſo as for this Caſe, I may ſay, † *Omnia parata*; And we expect, but a Direction, from your Majeſty, for the Acquainting the Judges ſeverally: Or the 4 Judges, of the *Kings Bench*, as your Majeſty ſhall think good.

* A ſingle Witneſs.
† All things are in readineſs.

I forget not, nor forſlow not, your Majeſty's Commandment, touching *Recuſants*; Of which, when it is ripe, I will give your Majeſty a true Account, and what is poſſible to be done, and where the Impediment

is

is. Mr. *Secretary*, bringeth * *Bonam Voluntatem*, but he is not verſed much, in theſe things; And ſometimes urgeth the Concluſion; without the Premiſes, and by haſte hindreth. It is my *Lord Treaſurer*, and the *Exchequer*, muſt help it, if it be holpen. I have heard more ways than one, of an offer of 20000 *l. per Annum*, for farming, the Penalties of *Recuſants*, not including any Offence Capital, or of Premunire; wherein I will preſume to ſay, that my poor Endeavours, ſince I was, by your great, and ſole grace, your *Attorney*, have been no ſmall Spurs, to make them feel your *Laws*, and ſeek this *Redemption*; Wherein, I muſt alſo ſay, my *Lord Coke* hath done his part; And I do aſſure your Majeſty, I know it, ſomewhat inwardly, and groundedly, that by the Courſes we have taken, they conform daily, and in great Numbers; And I would to God, it were as well a *Converſion*, as a *Conformity*; But if it ſhould die by Diſpenſation, or Diſſimulation, then I fear, that whereas your Majeſty, hath now, ſo many ill Subjects, poor, and detected, you ſhall then have them, rich and diſſembled. And therefore, I hold this offer, very conſiderable, of ſo great an Increaſe, of *Revenue*; If it can paſs, the *fiery Trial*, of *Religion*, and *Honour*; which I wiſh, all *Projects* may paſs.

* A willing Mind.

Thus, in as much, as I have made to your Majeſty, ſomewhat a naked, and particular Account, of Buſineſs, I hope your Majeſty, will uſe it accordingly. *God* preſerve your *Majeſty*.

Jan. 27. 1614.

Your Majeſty's, moſt humble, and devoted Subject, and Servant.

Fra. Bacon.

XLIV.

XLIV.

To the KING.

It may pleaſe your Excellent Majeſty.

BEcauſe I know your *Majeſty*, would be glad, to hear, how it is, with my *Lord Chancellor*; And that it pleaſed him, out of his antient and great Love, to me; which, many times, in Sickneſs, appeareth moſt; To admit me, to a great deal of Speech, with him, this afternoon: which, during theſe three days, he hath ſcarcely done to any; I thought it mought be pleaſing to your Maieſty, to certify you, how I found him. I found him in Bed, but his Spirits freſh, and good, ſpeaking ſtoutly, and without being ſpent, or weary; And both willing, and Beginning of himſelf, to ſpeak, but wholly of your Majeſty's Buſineſs. Where-in I cannot forget, to relate, this particular; That he wiſhed, that his Sentencing of *O. S.* at the day appointed, mought be his laſt Work, to conclude his Services, and expreſs his Affection, towards your Majeſty. I told him, I knew your Majeſty, would be very deſirous, of his Preſence, that day, So it mought be, without prejudice; But otherwiſe, your Majeſty, eſteemed a *Servant*, more than a *Service*; eſpecially ſuch a *Servant*. Not to trouble your Majeſty; Though good Spirits, in Sickneſs, be uncertain *Kalenders*, yet I have very good Comfort of him, and I hope by that day, *&c.*

Mr. *Oliver St. John.*

January 29.
1614.

XLV.

XLV.

To the KING.

It may pleaſe your Excellent Majeſty,

I Received, this Morning, by Mr. *Murray*, a Meſſage from your Majeſty, of ſome warrant, and confidence, that I ſhould advertiſe your Majeſty of your Buſineſs, wherein I had part. Wherein, I am firſt humbly, to thank your Majeſty, of your good acceptation of my Endeavours, and Service; which I am not able to furniſh with any other Quality, ſave Faith, and Diligence.

For *Peacham*'s Caſe, I have, ſince my laſt Letter, been with my Lord *Coke* twice; Once before Mr. *Secretaries* going down,to your Majeſty; And once ſince, which was yeſterday: At the former of which times, I delivered him *Peacham*'s *Papers*; And at this Latter, the *Preſidents*, which I had with care gathered, and ſelected: For theſe Degrees and order, the Buſineſs required.

At the former, I told him, that he knew my Errand, which ſtood upon two Points: The one to inform him of the particular Caſe, of *Peachamn*'s *Treaſons*; (For I never give it, other word, to him;) The other, to receive his Opinion to my Self, and in ſecret, according to my Commiſſion from your Majeſty.

At the former time, he fell upon the ſame Allegation, which he had begun, at the *Council Table*; that Judges were not to give Opinion by Fractions, but entirely, according to the Vote, whereupon they ſhould ſettle, upon Conference: And that this *Auricular* Taking of Opinions, ſingle and apart, was new and dangerous;

gerous; And other words more vehement than I repeat.

I replied, in civil and plain Terms; That I wiſht his Lordſhip, in my love to him, to think better of it; For that this that his Lordſhip was pleaſed to put into great Words, ſeemed to me and my Fellows, when we ſpake of it, amongſt our ſelves, a reaſonable, and familiar Matter, For a King to conſult with his Judges, either aſſembled, or ſelected; or one, by one. And then, to give him a little Out-let, to ſave his firſt Opinion, (wherewith he is moſt commonly in love,) I added, that Judges, ſometimes, might make a Sute, to be ſpared, for their Opinion, till they had ſpoken with their Brethren; But, if the King, upon his own Princely Judgement, for Reaſon of *Eſtate*, ſhould think it fit, to have it otherwiſe, and ſhould ſo demand it, there was no declining: Nay, that it touched, upon a Violation, of their Oath, which was, to counſel the King, without Diſtinction, whether it were joyntly or ſeverally. Thereupon, I put him the Caſe, of the *Privy Council*; As if your Majeſty, ſhould be pleaſed to command any of them, to deliver their Opinion, apart and in private; whether it were a good Anſwer, to deny it, otherwiſe, than if it were propounded at the Table. To this he ſaid, That the Caſes were not alike, becauſe this concern'd Life. To which I replied, That Queſtions of *Eſtate*, mought concern Thouſands of Lives; and many Things more precious, than the Life, of a particular; As *War*, and *Peace*, and the like.

* Being uneaſie with the Buſineſs.

To conclude, his Lordſhip, * *Tanquam Exitum quærens*, deſired me, for the time, to leave with him, the *Papers*, without preſſing him, to conſent to deliver a private Opinion, till he had peruſed them. I ſaid, I would; And the more willingly, becauſe I thought his

his Lordſhip, upon due conſideration of the *Papers*, would find the Caſe, to be ſo clear a Caſe of Treaſon, as he would make no difficulty, to deliver his Opinion in private; And ſo I was perſwaded, of the reſt, of the Judges of the *Kings-Bench*; who likewiſe, (as I partly underſtood,) made no Scruple to deliver their Opinion in private. Whereunto he ſaid, (which I noted well,) That his Brethren were wiſe Men; And that they might make a ſhew, as if they would give an Opinion, as was required; But the end would be, that it would come to this: They would ſay, they doubted of it, and ſo pray advice with the reſt. But to this I anſwered, that I was ſorry to hear him ſay ſo much, leſt, if it came ſo to paſs, ſome that loved him not, might make a Conſtruction, that, that which he had foretold, he had wrought. Thus your Majeſty ſees, that as *Solomon* ſaith, † *Greſſus nolentes tanquam in Sepi ſpinarum*, It catcheth upon every Thing.

† The way of the Slothful or unwilling Perſon is a Hedge of Thorns.

The latter Meeting, is yet of more Importance; For then, coming armed with divers Preſidents, I thought to ſet in, with the beſt ſtrength I could, and ſaid; That before I deſcended, to the Record, I would break the *Caſe*, to him thus. That it was true, we were to proceed, upon the antient *Statute* of King *Edward* the Third, becauſe other Temporary *Statutes* were gone; And therefore, it muſt be ſaid in the *Indictment*; * *Imaginatus eſt, & Compaſſavit Mortem, & finalem Deſtructionem Domini Regis:* Then muſt the particular *Treaſons* follow in this manner; viz. † *Et quòd, ad perimplen-*

* He imagined and compaſſed the Death and Deſtruction of our Lord the King. † And that for the fulfilling of his wicked purpoſe, he compoſed a deteſtable and pernicious Libel or Writing, in which among other Treaſonable Poſitions, it is thus contained, *&c.*

dum nefandum Propoſitum ſuum compoſuit & conſcripſit quendam deteſtabilem, & venenoſum libellum, ſive ſcriptum, in quo inter alia proditoria, continetur, &c. And then the principal paſſages of *Treaſon*, taken forth of the *Papers*, are to be entred *in hæc Verba*; And with a Concluſion in the End; ‖ *Ad Intentionem, quod Ligeus Populus, & Veri Subditi Domini Regis, cordialem ſuum amorem, à Domino Rege retraherent, & ipſum Dominum Regem relinquerent, & Guerram, & Inſurrectionem, contra eum, levarent, & facerent*, &c. I have, in this form, followed the antient Stile of the *Indictments*, for brevity ſake, though when we come to the Buſineſs it ſelf, we ſhall enlarge it, according to the uſe of the latter times. This I repreſented to him, (being a thing he is well acquainted with,) that he might perceive, the Platform of that was intended, without any Miſtaking, or Obſcurity. But then I fell to the matter it ſelf, to lock him in, as much as I could, *viz.*

‖ To the end that the Kings Leige People, and true Subjects ſhould withdraw their Cordial Love from, and deſert his Majeſty, and Levy War againſt him, *&c.*

That there be four Means or manners, whereby the *Death* of the *King* is compaſſed, and imagined.

The firſt, by ſome particular *Fact*, or *Plot*.

The ſecond, by *Diſabling* his *Title*; As by affirming, that he is not *lawful King*; Or that another ought to be *King*; Or that he is an *Uſurper*; Or a *Baſtard*; Or the like.

The third, by *Subjecting* his *Title*, to the *Pope*; and thereby Making him, of an *Abſolute King*, a *Conditional King*.

The fourth, by *Diſabling* his *Regiment*, and making him appear, to be incapable, or indign, to reign.

Theſe things, I relate to your Majeſty in ſumm, as is fit; which when, I opened to my *Lord*, I did inſiſt

ſiſt a little more upon, with more efficacy and edge, and Authority of Law and Record, than I can now expreſs.

Then I placed *Peacham*'s *Treaſon*, within the laſt Diviſion, agreeable to divers Preſidents, whereof I had the *Records* ready; And concluded, that your Majeſty's Safety and Life, and Authority, was thus by Law inſconſed and quartered; And that it was in vain, to fortifie on Three of the ſides, and ſo leave you open on the Fourth.

It is true, he heard me in a grave faſhion, more than accuſtomed, and took a Pen, and took notes of my Diviſions; And when he read the *Preſidents* and *Records*, would ſay, This you mean falleth within your firſt, or your ſecond, Diviſion. In the end, I expreſly demanded his Opinion, as that, whereto both he, and I was enjoyned. But he deſired me to leave the *Preſidents*, with him, that he might adviſe upon them. I told him, the reſt of my Fellows, would diſpatch their part, and I ſhould be behind with mine; which I perſwaded my Self, your Majeſty would impute, rather to his Backwardneſs, than my Negligence. He ſaid, as ſoon as I ſhould underſtand, that the reſt were ready, he would not be long after, with his Opinion.

For Mr. *St. John*, your Majeſty knoweth, the day draweth on; And my Lord *Chancellor*'s Recovery, the Seaſon and his Age, promiſing not to be too haſty. I ſpake with him on Sunday, at what time I found him in Bed, but his Spirits ſtrong, and not ſpent, or wearied; And ſpake wholly of your Buſineſs, leading me from one Matter to another. And wiſhed, and ſeemed to hope, that he might attend the day, for *O. S.* and it were, (as he ſaid,) to be his laſt work to conclude his Services, and expreſs his Affection, towards your Majeſty. I preſumed to ſay to him, that I knew your Majeſty would be exceeding deſirous of his being preſent

that day, ſo as that it mought be, without prejudice, to his continuance; But that, otherwiſe, your Majeſty eſteemed a *Servant*, more than a *Service*; eſpecially ſuch a *Servant*. Surely, in mine Opinion, your Majeſty were better put off the day, than want his preſence, conſidering the Cauſe of the putting off, is ſo notorious; And then the *Capital*, and the *Criminal* may come together, the next *Term*.

I have not been unprofitable, in helping to diſcover and examine, within theſe few days, a late *Patent*, by Surreption obtained from your Majeſty, of the greateſt *Foreſt* in *England*, worth 30000 *l* under Colour of a Defective Title, for a matter of 400 *l*. The Perſon muſt be named, becauſe the *Patent* muſt be queſtioned. It is a great Perſon, my Lord of *Shrewsbury*; Or rather, (as I think,) a greater than he, which is my Lady of * *Shrewsbury*. But I humbly pray your Majeſty, to know this firſt, from my Lord *Treaſurer*; who, methinks, groweth even ſtudious in your Buſineſs. God preſerve your *Majeſty*.

Jan. 31. 1614. *Your Majeſty's moſt humble and devoted, Subject and Servant,*

The rather, in regard of Mr. Murray's *Abſence, I humbly pray your* Majeſty, *to have a little regard, to this* Letter. Fr. Bacon.

* That my Lady of *Shrewsbury* was a Woman of Intreague, and as *Camden* ſays in his Annals of King *James*, *Rebus turbandis nata*; will appear from her Conduct relating to the King's and her Kinſwoman, the Lady *Arabella*: For having been the Great Inſtrument of her Marriage with Sir *William Seymour*, afterwards Earl and Marqueſs of *Hartford*, and of procuring her Eſcape from the *Tower*; She was convened before the Privy Council, and for refuſing to give any Anſwer in a matter which ſo nearly concerned the *State*; She was Fined in the *Star-Chamber*; and the Charge which was then given in againſt her is Printed in the *Cabala*, p. 340. and was I doubt not made by Sir *Francis Bacon*. But as if this was not a ſufficient warning, ſhe afterwards reported that the Lady *Arabella* left a Child by her Husband, for which and her repeated Obſtinacy, ſhe incurred a greater Cenſure in the ſame Court.

XLVI.

XLVI.

To the KING.

It may pleaſe your Excellent Majeſty,

MY Lord *Chancellor* ſent for me, to ſpeak with me this Morning, about Eight of the Clock. I perceive, he hath now that *Signum Sanitatis*, as to feel better his former weakneſs. For it is true, I did a little miſtruſt, that it was but a *Boutade* of Deſire, and good Spirit, when he promiſed himſelf, ſtrength for *Friday*, though I was won and carried with it. But now, I find him, well inclined, to uſe (ſhould I ſay) your Liberty, or rather your Interdict, ſignified by Mr. *Secretary*, from your Majeſty. His Lordſhip ſhewed me alſo your own *Letter*, whereof he had told me before, but had not ſhewed it me. What ſhall I ſay? I do much admire your Goodneſs, for writing ſuch a *Letter*, at ſuch a time.

He had ſent alſo to my Lord *Treaſurer*, to deſire him to come to him about that time. His Lordſhip came; And, not to trouble your Majeſty, with circumſtances, both their *Lordſhips* concluded, my Self preſent and concurring; That it could be no prejudice, to your Majeſty's Service, to put off the day, for Mr. *St. John* till the next Term. The rather, becauſe there are Seven, of your *Privy Council*, which are at leaſt, *Numerus* and part of the Court, which are by Infirmity, like to be abſent; That is, my Lord *Chancellor*, my Lord *Admiral*, my Lord of *Shrewsbury*, my Lord of *Exceter*, my Lord *Zouch*, my Lord *Stanhope*, and Mr. *Chancellor* of the *Dutchy*; wherefore they agreed, to hold a Coun-

cil,

cil, too morrow, in the Afternoon, for that purpoſe.

It is true, that I was always of Opinion, that it was no time loſt; And I do think ſo the rather, becauſe I could be content, that the Matter of *Peacham* were firſt ſetled, and put to a Point. For there be, perchance, that would make the Example upon Mr. *St. John* to ſtand for all. For *Peacham*, I expect ſome account from my Fellows this day. If it ſhould fall out otherwiſe, then I hope, it may not be left ſo. Your Majeſty, in your laſt Letter, very wiſely put in a Disjunctive, that the *Judges* ſhould deliver an Opinion, privately, either to my Lord *Chancellor*, or to our Selves, diſtributed: His Sickneſs, made the later way to be taken: But the other may be reſerved, with ſome Accommodating, when we ſee the ſucceſs of the Former.

I am appointed, this day, to attend my Lord *Treaſurer*, for a Propoſition of Raiſing Profit and Revenue, by *Infranchiſing Copyholders*. I am right glad to ſee the *Patrimonial* part of your Revenue, well look'd into, as well as the *Fiſcal*. And I hope it will ſo be, in other parts, as well as this. God preſerve your *Majeſty*.

Febr. 7. 1614.

Your Majeſty's moſt humble and devoted Subject, and Servant.

Fr. Bacon.

XLVII.

XLVII.

To the KING.

It may pleaſe your Excellent Majeſty,

MY Self, with the reſt of your Council Learned, conferred with my Lord *Coke*, and the reſt of the *Judges* of the *Kings-Bench* onely, being met at my Lord's Chamber, concerning the Buſineſs of *Owen*. For although it be true, that your Majeſty, in your Letter, did mention that the ſame Courſe, might be held, in the Taking of Opinions apart in this, which was preſcribed, and uſed in *Peacham*'s Cauſe; yet both my *Lords* of the *Council*, and we amongſt our Selves, holding it, in a Caſe ſo clear, not needful; But rather that it would import, a diffidence in us, and deprive us of the means, to debate it with the Judges, (if cauſe were) more ſtrongly, (which is ſomewhat,) we thought beſt, rather to uſe this Form.

The *Judges* deſired us to leave the Examinations and Papers, with them for ſome little time, to conſider, (which is a thing they uſe;) But, I conceive, there will be no manner of Queſtion, made of it. My *Lord Chief Juſtice* to ſhew forwardneſs (as I interpret it,) ſhewed us paſſages of *Suarez*, and others, thereby to prove, that though your Majeſty, ſtood not Excommunicate, by particular Sentence, yet by the General *Bulls* of *Cæna Domini*, and others, you were, upon the matter, Excommunicate; And therefore, that the *Treaſon* was as *De præſenti*. But I, that foreſee, that if that Courſe ſhould be held, when it cometh to a publick day, to diſſeminate to the Vulgar an Opinion, that your Majeſty's Caſe is all one, as if you were *de Facto*, particularly

larly and expreſly, *Excommunicate*; it would but increaſe the danger of your Perſon, with thoſe that are Deſperate Papiſts; And that it is needleſs; Commended my Lord's Diligence, but withall put it by; And fell upon the other Courſe, (which is the true way;) That is, that whoſoever ſhall affirm, *in Diem*, or *ſub Conditione*, that your Majeſty, may be deſtroyed, is a *Traytor*, *de præſenti*; For that, he maketh you but Tenant for Life, at the will of another. And I put, the *Duke* of *Buckingham*'s Caſe, who ſaid, That if the *King cauſed him to be arreſted of Treaſon, he would ſtab him*; And the Caſe of the *Impoſtureſs*, *Elizabeth Barton*, that ſaid, *That if King Henry the Eighth took not his Wife again, Katharine Dowager, he ſhould be no longer King*; And the like.

It may be theſe particulars, are not worth the Relating. But becauſe I find nothing in the World, ſo important to your Service, as to have you throughly informed, (the Ability of your Direction conſidered,) it maketh me thus to do; Moſt humbly praying your Majeſty to admoniſh me, if I be over-troubleſome.

For *Peacham*, the reſt of my Fellows are ready, to make their *Report*, to your Majeſty, at ſuch time, and in ſuch manner, as your Majeſty ſhall require it. My Self yeſterday took my Lord *Coke* aſide, after the reſt were gone, and told him, all the reſt were ready, and I was now to require his Lordſhip's Opinion, according to my Commiſſion. He ſaid, I ſhould have it; And repeated that twice, or thrice, as thinking he had gone too far, in that kind of Negative, (to deliver any Opinion apart,) before; And ſaid, he would tell it me within a very ſhort time, though he were not that inſtant ready. I have toſſed this Buſineſs in *omnes partes*, whereof

whereof I will give your Majeſty knowledge, when time ſerveth. God preſerve your *Majeſty*.

Febr. 11. 1614. *Your Majeſty's moſt humble and devoted Subject, and Servant,*

Fr. Bacon.

XLVIII.

To the KING.

It may pleaſe your Excellent Majeſty,

I Send your Majeſty Encloſed, my *Lord Coke's Anſwers:* I will not call them *Reſcripts*; much leſs *Oracles*. They are of his own hand, and offered to me, as they are, in writing, though I am glad of it for mine own Diſcharge. I thought it my Duty, as ſoon as I received them, inſtantly to ſend them to your Majeſty; And forbear, for the preſent, to ſpeak further of them. I, for my part, (though this *Muſcovia Weather* be a little too hard, for my *Conſtitution*;) was ready to have waited upon your Majeſty this day, all reſpects ſet aſide; But my Lord *Treaſurer*, in reſpect of the ſeaſon, and much other Buſineſs, was willing to ſave me. I will onely conclude touching theſe Papers, with a *Text*, Divided, I cannot ſay; * *Oportet iſthæc fieri*; But I may ſay, † *Finis autem nondum.* God preſerve your *Majeſty*.

* Theſe things ought to be done.
† But the end is not yet.

14 Febr. 1614. *Your Majeſty's moſt humble and devoted Subject, and Servant,*

Fr. Bacon.

XLIX.

To the KING.

It may pleaſe your Majeſty,

I May remember what *Tacitus* ſaith, by occaſion that *Tiberius* was often, and long abſent from *Rome*; * *In Urbe, & parva, & Magna Negotia, Imperatorem ſimul premunt:* But ſaith he, *In receſſu, dimiſſis rebus minoris momenti, ſummæ rerum magnarum magis agitantur.* This maketh me think it ſhall be no Incivility, to trouble your Majeſty with Buſineſs, during your abode from *London*; Knowing, that your Majeſty's Meditations, are the principal wheel of your Eſtate; And being warranted, from a former Commandement, which I received from you.

* In *Rome* both ſmall and great Affairs do at the ſame time preſs upon the Emperor: In the *Country*, things of leſs moment give place, that the weighty Matters of State may be chiefly debated.

I do now onely ſend your Majeſty, theſe *Papers* Encloſed; becauſe I do greatly deſire, ſo far forth to preſerve my credit with you, as thus, That whereas lately, (perhaps, out of too much Deſire which induceth too much belief,) I was bold to ſay, that I thought it as eaſie for your Majeſty, to come out of Want, as to go forth of your Gallery; your Majeſty would not take me for a Dreamer, or a Projector; I ſend your Majeſty therefore, ſome Grounds of my Hopes. And for that *Paper*, which I have gathered of *Increaſments ſperate*, I beſeech you, to give me leave to think, that if any of the Particulars do fail, it will be rather, for want of Workmanſhip in thoſe that ſhall deal in them, than want of Materials in the Things themſelves. The other

Paper

Paper, hath many Diſcarding Cards; and I ſend it chiefly, that your Majeſty may be the leſs ſurprized by *Projectures*; who pretend ſometimes great Diſcoveries, and Inventions in Things, that have been propounded, and perhaps, after a bettter faſhion, long ſince. God Almighty preſerve your *Majeſty*.

25 Apr. 1615. *Your Majeſty's moſt humble and devoted Subject, and Servant,*

Fr. Bacon.

L.

To the KING.

It may pleaſe Your Excellent Majeſty.

MR. *St. John* his Day is paſt, and well paſt. I hold it to be *Janus Bifrons*; It hath a good Aſpect, to that which is paſt, and to the Future: And doth both ſatisfie and prepare. All did well: My *Lord Chief Juſtice*, delivered the Law for the *Benevolence*, ſtrongly; I would he had done it, timely. Mr. *Chancellor* of the *Exchequer* (*a*) ſpake finely, ſomewhat after the manner of my late * Lord *Privy Seal*; Not all out ſo ſharply, but as elegantly. Sir *Thomas Lake*, (who is alſo new in that *Court*,) did very well, familiarly and Counſeller-

* The late Earl of *Northampton*.

(*a*) The *Chancellor* of the *Exchequer* here meant was Sir *Fulke Greville* who being early initiated into the Court of Queen *Elizabeth*, became a Polite and Fine Gentlemen; and in the 18th. of King *James* was Created Lord *Brooke*. He erected a Noble Monument for himſelf, on the North-ſide of *Warwick* Church (which hath eſcaped the late Deſolation) with this well known Inſcription, *Fulke Greville, Servant to Queen Elizabeth, Councellor to King* James, *and Friend to Sir* Philip Sidney. Nor is he leſs remembred by the Monument he has left in his Writings and Poems, chiefly Compoſed in his Youth, and in Familiar Exerciſe with the Gentleman I have before mentioned.

like (*b*). My Lord of *Pembroke*, (who is likewiſe a ſtranger there,) did extraordinary well, and became himſelf well, and had an evident Applauſe (*c*). I meant well alſo; And becauſe my *Imformation* was the Ground; having ſpoken out of a few Heads, which I had gathered, (For I ſeldom do more,) I ſet down, as ſoon as I came home, curſorily, * a Frame of that I had ſaid; Though I perſwade my ſelf, I ſpake it with more life. I have ſent it to Mr. *Murray* ſealed; If your Majeſty have ſo much idle time, to look upon it, it may give ſome light of the Days Work: But I moſt humbly

* Printed in the *Reſuſcitat.* pag. 60.

(*b*) Sir *Thomas Lake* was about this time made one of the Principal *Secretaries* of *State*, as he had been formerly *Latin*-Secretary to Queen *Elizab.* and before that time bred under Sir *Francis Walſingham*. But in the year 1618 falling into the King's diſpleaſure, and being engaged in the Quarrels of his Wife and Daughter the Lady *Roos*, with the Counteſs of *Exeter*; He was at firſt ſuſpended from the Execution of his Place, and afterwards removed, and deeply Cenſured and Fined in the *Star-Chamber*; although it is ſaid the King then gave him in open Court this publick Elogy, *That he was a Miniſter of State fit to ſerve the greateſt Prince in Europe.* Whilſt this Storm was hanging over his head, he writ many Letters to the King, and Marquis of *Buckingham*, which I have ſeen, complaining of his misfortune, that his ruin was likely to proceed from the aſſiſtance he gave to his neareſt Relations.

(*c*) *William* Earl of *Pembroke*, Son to *Henry Herbert* Earl of *Pembroke* Lord Preſident of the Council in the *Marches* of *Wales*, by *Mary* his Wife, a *Lady* in whom the Muſes and Graces ſeem'd to meet; whoſe very Letters in the Judgement of one whoſaw many of them, declared her to be Miſtreſs of a Pen, not inferior to that of her Brother's, the Admirable Sir *Philip Sidney*, and to whom he addreſſed his *Arcadia*. Nor did this Gentleman degenerate from their Wit and Spirit, as his own Poems, his great Patronage of Learned Men, and reſolute oppoſition to the *Spaniſh* Match, did among other inſtances fully prove. In the year 1616 he was made Lord *Chamberlain*, and choſen *Chancellor* of the Univerſity of *Oxford*. He died ſuddenly on the 10th of *April* 1630, having juſt compleated fifty years: But his onely Son deceaſing a Child before him, his Eſtate and Honours deſcended upon his younger Brother *Philip* Earl of *Montgomery*, the Lineal Anceſtor of the preſent Noble and Learned *Lord Preſident* of his Majeſty's moſt Honourable Privy Council.

pray

pray your Majeſty to pardon the Errors. God preſerve you ever.

April 29. 1615.

Your Majeſty's moſt humble Subject, and devoted Servant,

Fr. Bacon.

LI.

To the KING.

It may pleaſe your moſt excellent Majeſty,

YOur Majeſty ſhall ſhortly receive the *Bill*, for the *Incorporation* of the *New Company*; together with *a Bill* for the *Privy Seal*, being a Dependancy thereof. For this Morning, I ſubſcribed, and docketted them both. I think it therefore now time to repreſent to your Majeſty's high Wiſdom, that which I conceive, and have had long in my mind, concerning your Majeſty's Service, and honourable Profit in this Buſineſs.

This *Project*, which hath proceeded from a worthy Service, of the *Lord Treaſurer*, I have, from the beginning, conſtantly affected; As may well appear, by my ſundry Labours, from time to time, in the ſame. For I hold it a worthy Character, of your Majeſty's Reign and Times; Inſomuch, as though your Majeſty mought have at this time, (as is ſpoken) a great Annual Benefit for the quitting of it; yet I ſhall never be the Man that ſhould wiſh your Majeſty, to deprive your Self of that Beatitude; † *Beatius eſt dare, quam accipere*; In this Cauſe: But to ſacrifice your *Profit*, (though as your Majeſty's State is, it be precious to you,) to ſo great a *Good* of your Kingdom: Although this *Project*, is not without a Profit, immediate unto you,

† It is more bleſſed to give than to receive.

you, by the encreasing of *Customs*, upon the Materials of *Dyes*.

But here is the Case. The *New Company* by this *Patent*, and *Privy Seal*, are to have two Things, wholly diverse, from the first Intention; or rather, *Ex Diametro*, opposite unto the same; which nevertheless, they must, of necessity have, or else the *Work* is overthrown. So as I may call them * *Mala Necessaria*, but yet withal *Temporary*. For, as Men make War, to have Peace; so these *Merchants*, must have licence for *whites*, to the end, to banish *whites*; And they must have licence to use *Teyntours*, to the end to banish *Teyntours*.

* Necessary Evils.

This is therefore that I say; your Majesty upon these two points, may justly, and with honour, and with preservation of your first Intention inviolate; demand Profit in the Interim, as long as these unnatural Points continue, and then to cease. For your Majesty may be pleased to observe, that they are to have all the *Old Company*'s Profit, by the Trade of *Whites*; they are again to have, upon the proportion of *Cloths*, which they shall vent died, and dressed, the *Flemmings* Profit upon the *Teyntour*. Now then I say; As it had been too good Husbandry for a *King*, to have taken profit of them, if the Project could have been effected at once, (as was voiced;) So on the other side it might be perchance, too little Husbandry, and Providence, to take nothing of them, for that which is meerly lucrative to them in the mean time. Nay, I say further, this will greatly conduce, and be a kind of Security to the End desired. For I always feared, and do yet fear, that when Men, by condition *Merchants*, though never so honest, have gotten into their Hands, the Trade of *Whites*, and the *Despensation to Teyntour*; wherein they shall reap profit, for

that

which they never ſowed; But have gotten themſelves Certainties, in reſpect of the States hopes; they are like enough to ſleep upon this, as upon a Pillow; And to make no haſte, to go on with the reſt. And though it may be ſaid, that that is a thing, will eaſily appear to the State, yet (no doubt) means may be deviſed, and found, to draw the Buſineſs in length. So that I conclude, that if your Majeſty, take a profit of them, in the *Interim*, (conſidering you refuſe profit, from the *Old Company*,) it will be both *Spur* and *Bridle*, to them, to make them *Pace* aright, to your Majeſty's End.

This in all humbleneſs, according to my vowed Care and Fidelity, being no Mans Man, but your Majeſty's, I preſent, leave, and ſubmit, to your Majeſty's better Judgment; And I could wiſh, your Majeſty would ſpeak, with Sir *Thomas Lake* in it; who, beſides his good Habit which he hath in Buſineſs, beareth, (methinks,) an indifferent Hand in this particular; And (if it pleaſe your Majeſty,) it may proceed, as from your Self, and not as a Motion, or Obſervation of mine.

Your Majeſty need not, in this, to be ſtreightned in time; As if this muſt be demanded, or treated, before you ſign their *Bill*. For I, foreſeeing this, and foreſeeing that many things mought fall out, which I could not forſee; have handled it ſo, as with their good Contentment, there is a *Power* of *Revocation*, inſerted into their *Patent*. And ſo commending your *Majeſty*, to God's bleſſed and precious Cuſtody; I reſt,

Auguſt 12. 1615.

Your Majeſty's moſt humble, and devoted Subject, and Servant,

Fr. Bacon.

LII.

LII.

To Sir George Villiers.

SIR,

SEnding to the King upon Occaſion, I would not fail, to ſalute you by my Letter; which, that it may be more than two lines, I add this for News: That as I was ſitting, by my Lord *Chief Juſtice*, upon the Commiſſion, for the Indicting of the *Great Perſon*; One of the *Judges* asked Him, whether *Roper* were dead? He ſaid, He, for his part, knew not; Another of the *Judges* anſwered; It ſhould concern you, my *Lord*, to know it. Whereupon he turned his Speech to me, and ſaid; No, Mr. *Attorney*, I will not wreſtle, now in my latter times. My *Lord*, ſaid I, you, ſpeak like a wiſe Man. Well, ſaith he, they have had no luck with it, that have had it. I ſaid again, Thoſe days be paſt. Here you have the Dialogue to make you merry. But in ſadneſs, I was glad to perceive he meant not to conteſt: I can but honour, and love you, and reſt,

January 22. 1615.

Your aſſured Friend and Servant,

Fr. Bacon.

LIII.

LIII.

To the KING.

It may pleaſe your Excellent Majeſty,

I Spake, yeſterday, long, with my Lord *Coke*; And for the *Rege inconſulto*, I conceive by him, it will be, *An amplius deliberandum cenſeo*, (as I thought at firſt,) ſo as, for the preſent, your Majeſty ſhall not need to renew your Commandment of Stay. I ſpake with him alſo, about ſome Propoſitions, concerning your Majeſty's caſual Revenue; wherein, I found him to conſent with me fully; Aſſuming, nevertheleſs, that he had thought of them before; But it is one Thing to have the *Vapour* of a Thought; Another, to *digeſt* Buſineſs aright. He, on his part, imparted to me divers Things, of great weight; concerning the Reparation of your Majeſty's Means, and *Finances*, which I heard gladly; Inſomuch, as he perceiving the ſame, I think, was the readier, to open himſelf to me, in one Circumſtance, which he did much inculcate. I concur fully with him, that they are to be held ſecret: For I never ſaw, but that *Buſineſs*, is like a Child, which is framed inviſibly in the Womb, And if it come forth too ſoon, it will be abortive. I know, in moſt of them, the Proſecution muſt reſt much upon my Self. But I, that had the Power to prevail, in the *Farmer*'s Caſe of the *French Wines*, without the help of my Lord *Coke*, ſhall be better able to go through theſe with his help, the Ground being no leſs juſt. And this I ſhall ever add of mine own, that I ſhall ever reſpect your Majeſty's *Honour*, no leſs than your *Profit*; And ſhall alſo take care, according to my

penſive manner, that that, which is *good* for the *preſent*, have not in it, *hidden Seeds of future Inconveniences.*

The Matter of the *New Company*, was referred to me, by the *Lords* of the *Privy Council*; wherein, after ſome private Speech with Sir *Lionel Cranfield*, I made that Report, which I held moſt agreeable to Truth, and your Majeſty's Service. If this *New Company* break, it muſt either be put upon the *Patent*, or upon the *Order*, made by themſelves. For the Patent, I ſatisfied the Board, that there was no Tittle in it, which was not, either *Verbatim*, in the Patent of the *Old Company*; Or by ſpecial Warrant from the *Table*, inſerted. My *Lord Coke*, with much reſpect to me, acknowledged, but diſliked the Old Patent in it ſelf, and diſclaimed his being at the Table, when the Additions were allowed. But, in my Opinion, (howſoever my *Lord Coke*, to magnify his Science in *Law*, draweth every thing, though ſometimes unproperly, and unſeaſonably, to that kind of Queſtion;) it is not convenient, to break the Buſineſs, upon thoſe Points. For conſidering, they were but Clauſes that were in the former Patents, and in many other Patents of Companies; And that the Additions, likewiſe, paſſed the Allowance of the Table, it will be but clamoured, and perhaps, conceived, that to quarrel them now, is but an Occaſion taken; And that the Times are changed, rather than the Matter. But that which preſerveth entire your Majeſty's Honour, and the Conſtancy of your Proceedings, is to put the Breach upon their *Orders.*

For this Light I gave in my *Report*, which the *Table* readily apprehended, and much approved; That if the Table reject their Orders, as unlawful, and unjuſt, it doth free you from their Contract: For who

whoſoever contracteth, or undertaketh any thing, is always underſtood, to perform it by lawful means; So as, they have plainly abuſed the *State*, if that which they have undertaken, be either impoſſible, or unjuſt.

I am bold to preſent this Conſideration, to that excellent *Faculty*, of your Majeſty's *Judgement*; becauſe, I think it importeth that future Good, which may grow to your Majeſty in the cloſe of this Buſineſs; That the Falling off be without all Exception. *God* have you in his precious Cuſtody.

Febr. 3. 1615. *Your Majeſty's moſt humble and bounden, Subject, and Servant,*

Fr. Bacon.

LIV.

To the KING.

It may pleaſe your moſt Excellent Majeſty,

I Am glad to underſtand, by Mr. *Murray*, that your Majeſty accepteth well of my poor Endeavours, in opening unto you the paſſages of your Service; That, *Buſineſs* may come the leſs crude, and the more prepared to your Royal Judgment; the perfection whereof, as I cannot expect, they ſhould ſatisfie in every *particular*; ſo I hope, through my Aſſiduity, there will reſult a good *Total*.

My Lord *Chancellor*'s Sickneſs, falleth out, *duro Tempore*. I have always known him, a wiſe Man, and of juſt Elevation for Monarchy; But your Majeſty's Service muſt not be mortal. And if you leeſe him,

as your Majeſty hath, now of late, purchaſed many Hearts by depreſſing the *Wicked*: So God, doth miniſter unto you, a Counterpart, to do the like, by raiſing the *Honeſt*. God evermore preſerve your Majeſty.

February 9. 1615. *Your Majeſty's muſt humble Subject, and bounden Servant,*

Fr. Bacon.

LV.

To the KING.

It may pleaſe your Moſt Excellent Majeſty,

YOur worthy *Chancellor* I fear, goeth his laſt day. God hath hitherto uſed to weed out ſuch Servants, as grew not fit for your Majeſty; but now he hath gathered to himſelf a true *Sage*, or *Salvia*, out of your Garden: But your Majeſty's Service muſt not be mortal.

Upon this heavy Accident, I pray your Majeſty, in all Humbleneſs and Sincerity, to give me leave to uſe a few words. I muſt never forget, when I moved your Majeſty for the *Attorney*'s Place; that it was your own ſole Act; more than that my Lord of *Somerſet*, when he knew your Majeſty had reſolved it, thruſt himſelf into the Buſineſs, to gain Thanks: And therefore I have no Reaſon to pray to *Saints*.

I ſhall now again make Oblation to your Majeſty, Firſt of my *Heart*; then of my *Service*; Thirdly of my Place of *Attorney* (which I think is honeſtly worth 6000 *l. per Annum*,) And Fourthly of my Place in the *Star-chamber*, which is worth 1600 *l. per Annum*; and

and with the Favour and Countenance of a *Chancellor*, much more. I hope I may be acquitted of Preſumption, if I think of it, both becauſe my Father had the Place, which is ſome civil Inducement to my Deſire; (And I pray God your Majeſty may have *Twenty* no worſe Years in your Greatneſs, than Queen *Elizabeth* had in her Model, after my Father's placing;) and chiefly, becauſe the Chancellor's Place after it went to the Law, was ever conferred upon ſome of the Learned Council; and never upon a Judge. For *Audeley* was raiſed from King's *Serjeant*; my *Father* from *Attorney* of the *Wards*; *Bromley* from *Solicitor*; *Puckering* from Queen's *Serjeant*; *Egerton* from *Maſter* of the *Rolles*, having newly left the *Attorney*'s Place. Now I beſeech your Majeſty let me put you the preſent Caſe, truly. If you take my *Lord Coke*, this will follow; *firſt*, your Majeſty ſhall put an over-ruling *Nature* into an over-ruling *Place*, which may breed an Extream: *Next*, you ſhall blunt his Induſtries in Matter of *Finances*, which ſeemeth to aim at another Place: And *laſtly*, popular Men are no ſure Mounters for your Majeſty's Saddle. If you take my Lord *Hobart*; you ſhall have a Judge at the upper end of your *Council-Board*, and another at the lower end: Whereby your Majeſty will find your Prerogative pent. For though there ſhould be Emulation between them, yet as *Legiſts* they will agree, in magnifying that wherein they are beſt; he is no Stateſman but an *Oeconomiſt*, wholly for himſelf. So as your Majeſty (more than an outward Form) will find little help in him, for the Buſineſs. If you take my Lord of *Canterbury*, I will ſay no more, but the *Chancellor*'s Place requires a whole Man. And to have both Juriſdictions, *Spiritual* and *Temporal*, in that height is fit but for a *King*.

For

For my Self, I can only preſent your Majeſty with *Gloria in Obſequio* (*a*): Yet I dare promiſe, that if I ſit in that Place, your Buſineſs ſhall not make ſu ch ſhort turns upon you, as it doth; but when a Direction is once given, it ſhall be purſued and performed; and your Majeſty ſhall only be troubled with the true *Care* of a *King*, which is, *to think what you would have done in Chief, and not how for the paſſages.*

I do preſume alſo, in reſpect of my Father's Memory, and that I have been always Gracious in the *lower Houſe*, I have Intereſt in the Gentlemen of *England*, and ſhall be able to do ſome good Effect, in rectifying that Body of Parliament-men, which is * *Cardo rerum.* For let me tell your Majeſty, That that part of the *Chancellors's* Place which is to judge in *Equity*, between party and party, that ſame *Regnum Judiciale* (which ſince my *Father's* time is but too much *enlarged*,) concerneth your Majeſty leaſt, more than the acquitting of your Conſcience for Juſtice. But it is the other parts of a *Moderator*, amongſt your *Council*, of an Overſee over your *Judges*, of a *Planter* of fit *Juſtices* and *Goverr nors* in the Country, that importeth your Affairs, and theſe times moſt.

* The Hinge upon which the Affairs of the Nation turn.

(*a*) This Expreſſion of *Gloria in Obſequio* is taken from the *6th* Book of the *Annals* of *Tacitus*. Where, ſome Perſons being accuſed for their Intimacy with *Sejanus*, the late great Favourite of the Emperor *Tiberius*; *M. Terentius* a Roman Knight, did not, like others excuſe or deny the ſame for fear of Puniſhment; but does in the *Senate* make an ingenuous Confeſſion thereof, and gives his Reaſons why he not only courted, but rejoyced in obtaining the Friendſhip of *Sejanus*. And then Addreſſes himſelf, as if ſpeaking to *Tiberius* in theſe Words. *Non eſt noſtrûm æſtimare, quem ſupra cæteros, & quibus de cauſis extollas: Tibi ſummum rerum judicium Dii dedere; Nobis* Obſequii gloria *relicta eſt.* 'It does not become us to enquire into the *Per-* 'ſon you are pleaſed to prefer above others, or into the *Reaſons:* To you, 'Heaven hath given a conſummate Judgement; To us, there remains *the* '*Glory of a chearful Obedience.*

I will add alſo, that I hope by my Care, the *inventive* part of your *Council* will be ſtrenghned; who now commonly do exerciſe rather their Judgments, than their Inventions; And the Inventive part cometh from Projectors and private Men, which cannot be ſo well: In which Kind, my Lord of *Salisbury* had a good Method, if his Ends had been upright.

To conclude, If I were the Man I would be, I ſhould hope, That as your Majeſty hath of late won Hearts by *depreſſing*; you ſhould in this loſe no Hearts by *advancing*: For I ſee your People can better skill of *Concretum* than *Abſtractum*, and that the Waves of their Affections flow, rather after Perſons, than Things. So that Acts of this Nature, (if this were one) do more good than twenty Bills of *Grace*. If God call my Lord *Chancellor* the Warrants and Commiſſions which are requiſite for the taking off the *Seal*, and for the working with it, and for reviving of Warrants under his hand, which die with him, and the like, ſhall be in readineſs. And in this, Time preſſeth more, becauſe it is the end of a *Term*, and almoſt the beginning of the *Circuits*: So that the *Seal* cannot ſtand ſtill. But this may be done as heretofore by Commiſſion, till your Majeſty hath reſolved of an Officer. God ever preſerve your Majeſty.

Febr. 12. 1615

Your Majeſty's moſt humble Subject, and bounden Servant,

Fr. Bacon.

LVI.

LVI.

A Letter *to the* King, *of my Lord* Chancellor's *Amendment, and the Difference begun, between the* Chancery, *and* Kings-Bench.

It may pleaſe your Excellent Majeſty,

I Do find, God be thanked, a ſenſible Amendment, in my Lord *Chancellor*. I was with him yeſterday in private conference, about half an Hour: And this day again, at ſuch time as he did ſeal, which he endured well, almoſt the ſpace of an Hour, though the Vapour of Wax, be offenſive to him. He is free from a *Fever*, perfect in his powers, of *Memory* and *Speech*; And not hollow, in his Voice, nor Look; He hath no panting, or labouring Reſpiration; Neither are his *Coughs* dry, or weak. But whoſoever thinketh, his Diſeaſe is but Melancholy, he maketh no true Judgement of it; For it is, plainly, a formed and deep Cough, with a Pectoral ſurcharge; So that, at times, he doth almoſt, *Animam agere*. I forbear to advertiſe your Majeſty, of the Care I took to have Commiſſions in readineſs, becauſe Mr. *Secretary Lake* hath let me underſtand, he ſignified as much to your Majeſty: But, I hope, there ſhall be no uſe for them, at this time. And, as I am glad to advertiſe your Majeſty, of the *Amendment* of your *Chancellor's Perſon*; So I am ſorry, to accompany it with an Advertiſement of the *Sickneſs* of your *Chancery Court*; though, (by the Grace of God,) that Cure will be much eaſier, than the other. It is true, I did lately write to your Majeſty, that for the Matter of the *Habeas Corpora*, (which was the third Matter in *Law*, you had given me in charge;)

charge;) I did think, the Communion in Service, between my Lord *Chancellor*, and my Lord *Chief Juſtice*, in the great Buſineſs of *Examination*, would ſo joyn them, as they would not ſquare, at this time; But pardon me, (I humbly pray your Majeſty,) if I have too Reaſonable Thoughts.

And yet, that which happened, the laſt day, of the Term, concerning certain *Indictments*, in the Nature of *Premunire*, preferred into the *Kings-Bench*, but not found; Is not ſo much, as is voiced abroad; (though I muſt ſay, it is * *Omni tempore Nimium, & hoc tempore Alienum*;) And therefore, I beſeech your Majeſty, not to give any Believing Ear, to Reports, but to receive the Truth, from me, that am your *Attorney General*, and ought to ſtand indifferent, for *Juriſdictions*, of all *Courts*; which Account, I cannot give your Majeſty now, becauſe I was then abſent; And ſome are now abſent, which are properly, and authentically, to inform me, touching that which paſſed. Neither let this, any ways, disjoynt, your other Buſineſs; For there is a time, for all things; And this very Accident, may be turned, to Good. Not that I am of Opinion, that that ſame Cunning Maxim, of † *Separa, & Impera*, which ſometimes holdeth in Perſons, can well take place in *Juriſdictions*; But becauſe, ſome good Occaſion, by this Exceſs, may be taken, to ſettle that, which would have been more dangerous, if it had gone out, by little and little. God ever preſerve your Majeſty.

* Too much at any time but ſtrange at this time.

† Divide and Rule.

15 Febr. 1615.

Your Majeſty's moſt humble Subject,
and moſt bounden Servant,

Fr. Bacon.

LVII.

To Sir George Villiers.

SIR,

I Received, this Morning, from you, two Letters, by the ſame Bearer; The one written before, the other, after his Majeſty had received my laſt.

In this *Difference*, between the two Courts, of *Chancery*, and *Kings-Bench*; (For ſo I had rather take it, for this Time, than between the Perſons, of my Lord *Chancellor*, and my Lord *Chief Juſtice*,) I marvel not, if Rumour get way, of true Relation. For I know *Fame* hath *ſwift wings*; Specially that, which hath Black Feathers: But within theſe two days, (for ſooner I cannot be ready,) I will write unto his Majeſty, both the Narrative truly, and my Opinion ſincerely; Taking much comfort, that I ſerve ſuch a *King*, as hath God's Property, in diſcerning truly, of Mens Hearts. I purpoſe, to ſpeak, with my Lord *Chancellor*, this day; And ſo to exhibit, that Cordial, of his *Majeſty's Grace*; As I hope, that other Accident, will rather rouze, and raiſe his Spirit, than deject him, or incline him to Relapſe. Mean while, I commend the Wit, of a mean Man, that ſaid this other day, *Well, the next Term, you ſhall have an Old Man, come with a Beeſom of Wormwood, in his Hand, that will ſweep away all this.* For it is, my Lord *Chancellor's* faſhion, ſpecially towards the Summer, to carry a Poſie of Wormwood. I write this Letter in Haſte, to return

return your Meſſenger with it. God keep you, and long, and happily, may you ſerve his *Majeſty*.

19 Febr. 1615. *Your true and affectionate Servant,*

Sir, *I thank you for your Inward* Letter; *I have burned it, as you commanded. But the Fire it hath kindled in me; will never be extinguiſhed.* Fr. Bacon.

LVIII.

To Sir George Villiers.

SIR,

MY Lord *Chancellor*'s Health, growing with the Days, and his Reſignation, being an Uncertainty, I would be glad, you went on, with my firſt Motion, my ſwearing *Privy Counſellor*. This I deſire, not ſo much, to make my Self, more ſure of the other; and to put it paſt Competition; (For herein, I reſt wholly upon the King, and your excellent ſelf,) But, becauſe I find hourly, that I need this Strength, in his Majeſty's ſervice; Both for my better warrant, and ſatisfaction of my Conſcience, that I deal not in Things, above my Vocation; And for my better Countenance, and Prevailing, where his Majeſty's ſervice, is, under any pretext, oppoſed, I would it were diſpatched. I remember, a greater Matter than this, was diſpatched, by a Letter, from *Royſton*; which was, the Placing of the *Archbiſhop*, that now is: And I imagin, the King did it on purpoſe, that the Act mought appear, to be his own.

My Lord *Chancellor* told me, yeſterday, in plain Terms, that if the King, would ask his opinion, touch-

ing the Perſon, that he would commend, to ſucceed him, upon Death, or Diſability, he would name me, for the fitteſt Man. You may adviſe, whether uſe, may not be made, of this offer.

I ſent, a pretty while ſince, a Paper, to Mr. *John Murrey*; which was, indeed, a little Remembrance, of ſome Things paſt; concerning my honeſt, and faithful Services to his Majeſty; Not by way of Boaſting, (from which I am far,) but as Tokens, of my ſtudying his Service, uprightly, and carefully. If you be pleaſed, to call for the Paper, which is with Mr. *John Murrey*; And to find a fit time, that his Majeſty, may caſt an eye upon it, I think it will do no Hurt: And I have written to Mr. *Murrey*, to deliver the Paper, if you call for it. *God keep you in all Happineſs.*

21 Febr. 1615. *Your trueſt Servant,*

Fr. Bacon.

LIX.

To the KING.

It may pleaſe your moſt Excellent Majeſty.

I Was yeſterday, in the Afternoon, with my Lord *Chancellor*, according to your Commandement, which I received by the Maſter of the Horſe; And find the Old Man, well comforted; both towards God, and towards the World, and that ſame middle Comfort, which is Divine, and Humane, proceeding from your Majeſty, being God's Lieutenant, on Earth, I am perſwaded, hath been a great Cauſe, that ſuch a Sickneſs, hath been portable, to ſuch an Age. I did not fail, in my Conjecture; that this Buſineſs, of the *Chancery*, hath

hath ſtirred him; He ſheweth to deſpiſe it, but he is full of it; and almoſt, like a young Duelliſt, that findeth himſelf behind hand.

I will now, as your Majeſty requireth, give you a true Relation, of that which hath paſſed; neither will I decline, your Royal Commandment, for delivering my Opinion alſo, though it be a tender Subject, to write on; But I, that account my Being, but as an Accident to my ſervice, will neglect no duty upon Self-Safety.

Firſt, it is neceſſary, I let your Majeſty know, the Ground of the *Difference*, between the two Courts; that your Majeſty, may the better underſtand the Narrative.

There was a *Statute* made, 27 *Edw.* 3. Cap. 1. which, (no doubt) in the principal Intention thereof, was ordained, againſt thoſe, that ſued to *Rome*; wherein there are Words, ſomewhat general, againſt any, that *queſtioneth, or impeacheth, any Judgment, given in the King's Courts, or in any other Court.* Upon theſe doubtful Words (*other Courts,*) the Controverſie groweth. For the ſounder Interpretation, taketh them, to be meant, of thoſe Courts, which though, locally, they were not held at *Rome*, or where the *Pope's* Chair was, but here within the *Realm*; yet in their Juriſdiction, had their Dependance, upon the Court of *Rome*; As were the Court of the *Legate* here, and the Courts of the *Arch-Biſhops*, and *Biſhops*, which were then, but ſubordinate Judgment Seats, to that high Tribunal of *Rome*. And for this Conſtruction, the Oppoſition of the Words, (if they be well obſerved) between the *King's Courts* and other *Courts*, maketh very much: For it importeth, as if thoſe other *Courts*, were not the *King's Courts*. Alſo, the main Scope of the Statute, fortifieth the ſame: And laſtly, the

the Practice of many Ages. The other Interpretation, (which cleaveth to the Letter,) expoundeth the *King's Courts*, to be the *Courts of Law*, only, and *other Courts*, to be *Courts of Equity*, as the *Chancery*, *Exchequer-chamber*, *Dutchy*, &c. Though this alſo flyeth, indeed, from the Letter, for that all theſe, are the *King's Courts*.

There is alſo another *Statute*, which is but a ſimple Prohibition, and not with a Penalty, of a *Premunire*, (as the other is;) *That after Judgements given in the* King's Courts, *the parties ſhall be in Peace, except the Judgement be undone, by Error, or Attaint*, which is a Legal form, of *Reverſal*. And of this alſo, I hold, the Sounder Interpretation to be, to ſettle Poſſeſſions, againſt Diſturbances, and not to take away Remedy, in *Equity*, where thoſe *Judgements*, are obtained, *ex Rigore Juris*, and againſt good Conſcience.

But upon theſe two *Statutes*, there hath been, a late Conceit in ſome, that if a Judgement, paſs, at the Common Law, againſt any, that he may not, after ſue, for Relief in *Chancery*: And if he doth, both He, and his Counſel, and his Solicitors, yea and the Judge in *Equity* himſelf, are within the Danger, of thoſe Statutes.

Here your Majeſty, hath the true ſtate, of the *Queſtion*, which I was neceſſarily to open to you firſt, becauſe your Majeſty, calleth for this Relation; not as News, but as Buſineſs. Now to the *Hiſtorical part*.

It is the Courſe, of the *King's Bench*, that they give in Charge to a *Grand Jury*, Offences of all Natures, to be preſented within *Middleſex*, where the ſaid Court is And the manner is, to enumerate them, as it were, in Articles. This was done by *Juſtice Crook*, the Wedneſday, before the Term ended. And that Article, (*If any Man, after a Judgement given, had drawn the ſaid*

ſaid Judgement, to a new Examination, in any other Court,) was by him, ſpecially, given in Charge; which had not uſed to be given, in Charge before. It is true, it was not ſolemnly dwelt upon, but, as it were, thrown in amongſt the reſt.

The laſt day, of the Term; (And that which all Men condemn, the ſuppoſed laſt day, of my *Lord Chancellor*'s life;) There were two Indictments preferred, of *Premunire*, for ſuing in *Chancery*, after Judgment in Common Law; The one by *Rich. Glanvile*, the other by *William Allen:* The former againſt *Courtney*, the party in Chancery, *Gibb* the Councellor, and *Deurſt* the Clark; The latter, againſt *Alderman Bowles*, and *Humfry Smith*, parties in Chancery; Serjeant *More* the Counſellor, *Elias Wood*, Solicitor in the Cauſe, and Sir *John Tindal*, Mr. of the Chancery, and an Aſſeſſor, to my Lord *Chancellor*.

For the Caſes themſelves, it were too long, to trouble your Majeſty, with them; But this I will ſay; If they were ſet on, that preferred them, they were the worſt Marks-men, that ever were, that ſet them on. For there could not have been choſen, two ſuch Cauſes, to the Honour, and Advantage, of the *Chancery*, for the Juſtneſs of the Decrees, and the Foulneſs; and Scandal, both of Fact, and Perſon, in thoſe that impeach the Decrees.

The *Grand Jury*, conſiſting, (as it ſeemeth,) of very Subſtantial, and Intelligent, Perſons, would not find the *Bills*; Notwithſtanding, they were clamoured by the parties, and twice ſent back, by the Court; And in Concluſion, reſolutely, Seventeen of Nineteen, found an *Ignoramus*: Wherein, for that time, I think, *Ignoramus* was wiſer, than thoſe that know too much.

Your Majeſty will pardon me, if I be ſparing, in delivering to you, ſome other Circumſtances, of Aggra-

gravation, and of Concurrences, of ſome like Matters, the ſame day; as if it had been ſome fatal Conſtellation. They be not things, ſo ſufficiently tryed, as I dare put them, into your Ear.

For my Opinion, I cannot but begin, with this *Preface*; That I am infinitely ſorry, that your Majeſty, is thus put, to ſalve, and cure, not only Accidents of Time, but Errors of Servants: For I account this, a kind of *Sickneſs*, of my Lord *Coke*'s, that comes, almoſt, in as ill a time, as the *Sickneſs* of my Lord *Chancellor*. And as (I think,) it was one of the wiſeſt parts, that ever he played, when he went down, to your Majeſty, to *Royſton*, and deſired, to have my Lord *Chancellor*, joined with him; So this was one of the weakeſt parts, that ever he played, to make all the World perceive, that my Lord *Chancellor*, is ſevered from him, at this time.

But for that, which may concern your Service, which is my End, (leaving other Men to their own Ways;) Firſt, my Opinion is plainly, that my Lord *Coke*, at this time, is not to be diſgraced; both becauſe, he is ſo well habituate, for that which remaineth, of theſe *Capital Cauſes*; And alſo, for that, which I find, is in his Breaſt, touching your *Finances*, and Matters of Repair, of your *Eſtate*. And, (if I mought ſpeak it,) as I think, it were good, his hopes were at an end, in ſome kind, ſo I could wiſh, they were raiſed, in ſome other.

On the other ſide, this great, and publick Affront, not only to the Reverend, and well deſerving, perſon, of your *Chancellor*; (And, at a time, when he was thought, to lye, on Dying, which was barbarous;) But to your High Court of *Chancery*, which is the Court, of your abſolute Power; may not, (in my Opinion,) paſs lightly, nor end, only, in ſome Formal Atone-

Atonement; But Uſe is to be made thereof, for the ſetling of your Authority, and ſtrengthning of your Prerogative, according to the true Rules of *Monarchy*.

Now to reconcile, and accommodate theſe two Advices, which ſeem almoſt oppoſite. *Firſt*, your Majeſty, may not ſee it, (though I confeſs it be ſuſpicious,) that my Lord *Coke* was, any way, aforehand, privy to that, which was done; Or that he did ſet it, or animate it; But only took the Matter, as it came before him; And that his Error was only, that at ſuch a time, he did not divert it, in ſome good manner.

Secondly, if it be true, (as is reported,) that any of the *Puiſne Judges*, did ſtir this Buſineſs; Or that, they did openly revile, and menace the *Jury*, for doing their Conſcience; (As they did, honeſtly, and truly,) I think, that *Judge*, is worthy, to leeſe his place. And to be plain with your *Majeſty*, I do not think, there is any Thing, a greater *Polychreſton*, or *ad multa utile*, to your Affairs, than upon a juſt, and fit Occaſion, to make ſome Example, againſt the Preſumption, of a *Judge*, in Cauſes, that concern your Majeſty: whereby the whole Body of thoſe Magiſtrates, may be contained the better in awe; And it may be, this will light, upon no unfit Subject, of a Perſon, that is Rude, and that no Man cares for.

Thirdly, if there be no one, ſo much in fault, (which I cannot yet affirm, either way, and there muſt be a juſt Ground, God forbid elſe;) yet I ſhould think, that the very Preſumption, of Going ſo far, in ſo high a Cauſe, deſerveth to have that done, which was done in this very Caſe, upon the Indictment of *Serjeant Heale*, in *Queen Elizabeth*'s time; that the Judges ſhould anſwer it, upon their knees, before your Majeſty, or your Council, and receive a ſharp Admonition: At which time alſo, my Lord *Wray*, being

then *Chief Juſtice*, ſlipt the Collar, and was forborn.

Fourthly, for the perſons themſelves, *Glanvile*, and *Allen*, which are baſe Fellowes, and turbulent, I think, there will be diſcovered, and proved againſt them, (beſides the preferring of the *Bills*,) ſuch Combinations, and Contemptuous Speeches, and Behaviours; As there will be good Ground, to call them, and perhaps ſome of their petty Counſellors, at Law, into the *Star-Chamber*.

In all this, which I have ſaid, your Majeſty, may be pleaſed to obſerve, that I do not engage you much, in the main Point of the *Juriſdiction*; for which I have a great deal of Reaſon; which I now forbear. But two Things, I wiſh to be done. The one, that your Majeſty, take this Occaſion, to redouble unto all your Judges, your antient, and true Charge, and Rule, That you will endure, no Innovating, the Point of *Juriſdiction*; but will have every *Court*, empaled, within their own Preſidents; And not aſſume to themſelves, new Powers, upon Conceits, and Inventions, of Law: The other, that in theſe high Cauſes, that touch upon *State*, and *Monarchy*, your Majeſty give them ſtraight Charge; that upon any Occaſions intervenient hereafter, they do not make the Vulgar, party to their Conteſtations, by publick handling them, before they have conſulted with your Majeſty, to whom the Reiglement, of thoſe things, only appertaineth.

To conclude, I am not without hope, that your *Majeſty*, managing this Buſineſs, according to your great Wiſdom; (unto which I acknowledge my Self, not to be worthy, to be Card-holder, or a Candle-holder;) will make profit, of this Accident, as a Thing of God's ſending.

Laſtly, I may not forget, to repreſent to your Majeſty, that there is no Thinking of Arraignments, until theſe

theſe Things, be ſomewhat accommodate; And ſome outward, and ſuperficial, Reconciliation, at leaſt, made, between my Lord *Chancellor*, and my Lord *Chief Juſtice*. For this Accident, is a Banquet, to all the *Delinquents* Friends. But this is a Thing, that falleth out, naturally, of it ſelf; in reſpect, of the *Judges* Going Circuit, and my Lord *Chancellor*'s Infirmity, with Hope of Recovery. And although this Protraction of Time, may breed ſome doubt of Mutability, yet I have lately learned, out of an excellent *Letter*, of a certain King; *That the Sun ſheweth, ſometimes, watry, to our Eyes, but when the Cloud is gone, the Sun is as before.* God ever preſerve your Majeſty.

February 21. 1615.

Your Majeſty's, moſt humble Subject, and bounden Servant.

Fra. Bacon.

LX.

To the KING.

It may pleaſe your moſt Excellent Majeſty.

YOur Privy Council, have wiſely, and truly, diſcerned, of the Orders, and Demands, of the *New Company*, that they are unlawful and unjuſt; And themſelves, have now acknowledged, the Work impoſſible, without them, by their Petition in Writing, now regiſtred, in the Council-Book: So as this Concluſion, (of their own making,) is become peremptory, and final to themſelves; And the Impoſſibility confeſſed, the Practice, and Abuſe, reſerved to the Judgment, the State ſhall make of it.

This Breach then, of this great Contract, is wholly on their part; which could not have been, if your Majeſty, had broken, upon the *Patent:* For the *Patent*, was your Majeſty's Act; The *Orders*, are their Act; And in the former Caſe, they had not been liable, to further Queſtion, now they are.

There reſt two Things, to be conſidered: The *one*, if they, (like *Proteus*, when he is hard held,) ſhall yet again, vary their ſhape; And ſhall quit their *Orders*, convinced of Injuſtice, and lay their Impoſition only, upon the *Trade* of *Whites*, whether your Majeſty, ſhall further expect? The *other*, if your Majeſty diſſolve them, upon this Breach, on their part, what is further to be done, for the ſetting of the Trade, again, in joynt, and for your own Honour, and Profit? In both which Points, I will not preſume to give Opinion, but onely, to break the Buſineſs, for your Majeſty's better Judgement.

For the *firſt*, I am ſorry, the Occaſion was given, (by my Lord *Coke*'s Speech, at this time, of the Commitment of ſome of them;) That they ſhould ſeek, * *Omnem movere lapidem*, to help themſelves. Better it had been, if (as my Lord *Fenton* ſaid to me, that Morning, very judiciouſly, and with a great Deal of Foreſight;) That, for that time, they ſhould have had, a Bridge, made for them, to be gone. But my Lord *Coke* floweth, according to his own Tides, and not according to the Tides of Buſineſs. The thing, which my Lord *Coke* ſaid, was good, and too little, but, at this time, it was too much. But that is paſt. Howſoever, if they ſhould go back, and ſeek again, to entertain your *Majeſty*, with new Orders, or Offers, (as is ſaid to be intended,) your Majeſty hath ready, two *Anſwers*, of *Repulſe*, if it pleaſe your *Majeſty* to uſe them.

* To move every Stone.

The

The *one*, that this is now the Fourth time, that they have mainly broken, with your Majeſty, and contradicted themſelves. Firſt, they undertook, to dye, and dreſs, all the *Clothes* of the *Realm*; Soon after, they wound themſelves, into the Trade, of *Whites*, and came down to the Proportion contracted. Secondly, they ought to have performed that Contract according to their Subſcription, *pro ratâ*, without any of theſe *Orders*, and *Impoſitions*: Soon after, they deſerted their Subſcription, and had recourſe, to theſe Devices, of *Orders*. Thirdly, if by *Order*, and not by *Subſcription*, yet their *Orders*, ſhould have laid it, upon the *Whites*, which is an Unlawful, and Prohibited, Trade. Nevertheleſs, they would have brought in, lawful, and ſetled Trades, full *Manufactures*, *Merchandize* of all Natures, *Poll-Money*, or *Brotherhood-Money*, and I cannot tell what. And now laſtly, it ſeemeth, they would go back, to lay it, upon the *Whites*: And therefore, whether your Majeſty, will any more reſt, and build this *great Wheel*, of your *Kingdom*, upon theſe broken, and brittle, Pinns, and try Experiments further, upon the Health, and Body, of your State, I leave to your *Princely Judgment*.

The other *Anſwer*, of *Repulſe*, is a kind of Appoſing them, what they will do, after the three years, contracted for? Which is a point, hitherto, not much ſtirred, though Sir *Lionell Cranfield*, hath ever beaten upon it, in his Speech with me: For after the three years, they are not tyed, otherways, than as Trade ſhall give Encouragement; of which Encouragement, your Majeſty, hath a bitter Taſt. And if they ſhould hold on, according to the third years Proportion, and not riſe on, by further gradation, your Majeſty hath not your End. No, I fear, and have long feared, that this Feeding of the Foreigner, may be dangerous: For as

we

we may think, to hold up our Cloathing, by Vent of *Whites*, till we can dye, and dreſs; So they, (I mean the *Dutch*,) will think to hold up, their Manufacture, of Dying, and Dreſſing, upon our *Whites*, till they can Cloth: So as your Majeſty, hath the greateſt reaſon, in the World, to make the *New Company*, to come in, and ſtrengthen that part, of their Contract; And they refuſing, (as it is confidently believed they will,) to make their Default, more viſible, to all Men.

For the *ſecond* main part, of your Majeſty's Conſultation: That is, what ſhall be done, ſuppoſing an abſolute Breach; I have had ſome Speech, with Mr. *Secretary Lake*, and likewiſe with Sir *Lionell Cranfield*; And, (as I conceive,) there may be *three* ways, taken into conſideration. The *firſt* is, that the Old Company be reſtored, who, (no doubt,) are in Appetite, and (as I find by Sir *Lionell Cranfield*,) not unprepared; And that the *Licences*; The one, that of 30000 Cloathes which was the old Licence; The other, that of my Lord of *Cumberlands*, which is, without ſtint, (my Lord of *Cumberland* receiving Satisfaction;) be compounded, into one entire Licence, without ſtint; And then, that they, amongſt themſelves, take order, for that profit, which hath been offered to your Majeſty. This is a plain, and known way, wherein your Majeſty, is not an Actor; onely it hath this, that the Work, of Dying, and Dreſſing, Cloathes, which hath been ſo much glorified, ſeemeth to be wholly relinquiſhed, if you leave there. The *ſecond* is, that there be a free Trade, of Cloath, with this Difference; That the Dyed, and Dreſſed, pay no Cuſtom, and the Whites *Double Cuſtom*, it being a Merchandize prohibited, and onely licentiate. This continueth in life, and fame, the Work deſired, and will have a popular Applauſe. But I do confeſs, I did ever think, that

Trading

Trading, in *Companies*, is moſt agreeable to the *Engliſh* Nature, which wanteth that ſame general Vein, of a *Republick*, which runneth in the *Dutch*; And ſerveth to them, inſtead of a Company. And therefore, I dare not adviſe, to adventure, this *great Trade*, of the Kingdom, (which hath been ſo long, under Government,) in a free, or looſe Trade. The *Third* is, a Compounded Way of both, which is; To go on, with the Trade of *Whites*, by the *Old Company* reſtored; And that your Majeſty's Profit be raiſed, by *Order* amongſt Themſelves; Rather than by *Double Cuſtom*, wherein you muſt be the Actor: And that, nevertheleſs, there be added a Privilege, to the ſame Company, to carry out Cloathes Dyed, and Dreſſed, Cuſtom-free; Which will ſtill continue, as a glorious Beam of your Majeſty's Royal Deſign. I hope, and Wiſh, at leaſt, that this, which I have written, may be of ſome uſe, to your Majeſty, to ſettle, by the Advice, of the *Lords* about you, this great Buſineſs. At the leaſt, it is the Effect, of my Care, and poor Ability, which, if in me be any, it is given me, to no other end, but faithfully, to ſerve your Majeſty. God ever preſerve you.

25 Febr. 1615.

Your Majeſty's moſt humble Subject, and bounden Servant,

Fr. Bacon.

LXI.

To Sir George Villiers.

SIR,

I humbly pray you, not to think me over haſty, or much in Appetite, if I put you in remembrance, of my motion of ſtrengthening me, with the Oath, and Truſt,

Truſt, of a *Privy Councellor*; not for mine own ſtrength, (for as to that, I thank God, I am armed within,) but for the ſtrength of my Service. The times, I ſubmit to you, who knoweth them beſt. But ſure I am, there were never times, which did more require, a *King's Attorney*, to be well armed, and (as I ſaid once to you,) to wear a Gauntlet, and not a Glove. The *Arraignments* when they proceed; the *Contention* between the *Chancery* and *King's Bench*; The Great Cauſe of the *Rege inconſulto*, which is ſo precious, to the King's Prerogative; Divers other Services, that concern the *King's Revenue*, and the repair of his Eſtate. Beſides, it pleaſeth his *Majeſty*, to accept well of my relations touching his Buſineſs; which may ſeem a kind of *Interlopeing*, (as the Merchants call it,) for one that is no Councellor. But I leave all unto you, thinking my ſelf infinitely bounden unto you, for your great favours: The beams whereof I ſee plainly, reflect upon me, even from others: So that now, I have no greater ambition, than this; That, as the *King*, ſheweth himſelf to you, the beſt *Maſter*, ſo I mought be found your beſt *Servant*. In which Wiſh and Vow, I ſhall ever reſt,

27 Febr. 1615.

Moſt Devoted and Affectionate to obey your Commands,

Fr. Bacon.

LXII.

LXII.

To His Majeſty.

It may pleaſe your moſt Excellent Majeſty,

AT my laſt acceſs to your Majeſty, it was fit for me to conſider the time, and your Journey, which maketh me now trouble your Majeſty with a remnant of that I thought then to have ſaid; Beſides, your *Old Warrant*, and Commiſſion to me, to advertiſe your Majeſty, when you are *aux champs*, of any thing that concern'd your Service, and my Place. I know your Majeſty is * *Nunquam minus ſolus, quam cum ſolus*; and I confeſs in regard of your great Judgment, (unto which nothing ought to be preſented, but well weighed,) I could almoſt wiſh, that the manner of *Tiberius* were in uſe again, of whom *Tacitus* ſaith, † *Mos erat quamvis præſentem ſcripto adire*; much more in abſence. I ſaid to your Majeſty, that which I do now repeat, that the Evidence upon which my *Lord* of *Somerſet* ſtandeth indicted, is of a good ſtrong thread, conſidering, impoyſoning is the darkeſt of Offences; but, that the thread muſt be well ſpun, and woven together: For your Majeſty knoweth, it is one thing to deal with a *Jury* of *Middleſex* and *Londoners*, and another to deal with the *Peers*; whoſe Objects, perhaps, will not be ſo much what is before them in the preſent Caſe, (which I think is as odious to them as to the Vulgar,) but what may be hereafter. Beſides, there be two diſadvantages, we that ſhall give in Evidence ſhall meet with, ſomewhat conſiderable; the *one*, that the ſame things, often open'd, loſe their freſhneſs, except there be an aſperſion of ſomewhat that is new; the *other* is, the Expectation raiſed.

* Never leſs alone, than when alone.

† It was the Cuſtom of the *Romans* to make their Applications to the Emperor in Writing.

which makes things ſeem leſs than they are, becauſe they are leſs than Opinion. Therefore I were not your *Attorney*, nor my ſelf, if I ſhould not be very careful, that in this laſt part, which is the Pinacle of your former Juſtice, all things may paſs * *Sine offendiculo, ſine ſcrupulo.* Hereupon I did move two things, which (having now more fully explain'd my ſelf) I do in all humbleneſs renew. *Firſt*, That your Majeſty will be careful to chuſe a *Steward* of Judgement, that may be able to moderate the Evidence, and cut off Digreſſions; for I may interrupt but I cannot ſilence; The other that there may be ſpecial care taken, for the ordering the Evidence, not only for the Knitting, but for the Liſt, and (to uſe your Majeſty's own words) the confining of it. This to do, if your Majeſty vouchſafe to direct it your ſelf, that is the beſt; if not, I humbly pray you to require my *Lord Chancellor*, that he, together with my *Lord Chief Juſtice*, will confer with my ſelf, and my fellows, that ſhall be uſed for the Marſhalling and bounding of the Evidence; that we may have the help of his Opinion, as well as that of my *Lord Chief Juſtice*, whoſe great Travels as I much commend: yet that ſame *Plerophoria*, or over confidence doth always ſubject things to a great deal of chance.

* Without the leaſt Offence or Scruple.

There is another buſineſs proper for me to crave of your Majeſty at this time, (as one that have in my eye a great deal of Service to be done,) concerning your *caſual Revenue*; but conſidering Times and Perſons, I deſire to be ſtrengthened by ſome ſuch form of Commandment, under your Royal Hand, as I ſend you here incloſed. I moſt humbly pray your Majeſty, to think, that I underſtand my ſelf right well in this which I deſire, and that it tendeth greatly to the good of your Service. The Warrant I mean not to impart,

but

but upon juſt occaſion, thus thirſty to hear of your *Majeſty*'s good health, I reſt.

22 Jan. 1615.

LXIII.

To His Majeſty.

It may pleaſe your moſt Excellent Majeſty,

THE laſt day, when it pleaſed your Majeſty, to expreſs your ſelf towards me, far above that I can deſerve, or could expect; I was ſurprized, by the *Prince*'s coming in: I moſt humbly pray your Majeſty to accept theſe few Lines of Acknowledgment. I never had great thought for my ſelf, further than to maintain thoſe great thoughts, which I confeſs, I have for your Service. I know, what Honour is; and I know, what the times are: But, I thank God, with me, my Service is the principal; and it is far from me, under Honourable pretences, to cover baſe deſires; which I account then to be, when men refer too much to themſelves, eſpecially ſerving ſuch a King. I am afraid of nothing, but that the Maſter of the Horſe, your Excellent Servant, and I ſhall fall out, who ſhall hold your Stirrop beſt. But were you mounted and ſeated without difficulties, and diſtaſtes, in your Buſineſs, as I deſire and hope to ſee you; I ſhould *ex animo*, deſire to ſpend the decline of my years, in my Studies: Wherein alſo I ſhould not forget, to do him Honour, who, beſides his active and Politick Virtues, is the beſt *Pen* of Kings, much more, the beſt ſubject of a *Pen*. God ever preſerve your *Majeſty*.

1 Apr. 1616.

Your Majeſty's moſt humble Subject, and more and more Obliged Servant,

Fr. Bacon.

LXIV.

To Sir George Villiers.

SIR,

I Thought it convenient to give his Majeſty an Account of that which his Majeſty gave me in charge in general, reſerving the Particulars for his coming; and I find it neceſſary to know his Pleaſure in ſome things, e'er I could farther proceed.

My *Lord Chancellor*, and my Self, ſpent *Thurſday* and Yeſterday, the whole Forenoons of both days, in the Examination of Sir *Robert Cotton*, whom we find hitherto but empty, ſave onely in the great Point of the *Treaty* with *Spain*.

This Examination was taken before his Majeſty's Warrant came to *Mr. Vice Chamberlain*, for communicating unto us the Secrets of the Penſions: Which Warrant I received Yeſterday morning being *Friday*, and a meeting was appointed at my *Lord Chancellor's*, in the Evening, after Council: Upon which Conference, we find matter of farther Examination for Sir *Robert Cotton*, of ſome new Articles, whereupon to Examine *Somerſet*, and of entring into Examination of Sir *William Mounſon*.

Wherefore, firſt for *Somerſet*, being now ready to proceed to Examine him, we ſtay onely upon the *Duke* of *Lenox*, who it ſeemeth is fallen Sick, and keepeth in; without whom, we neither think it Warranted by his Majeſty's Direction, nor agreeable to his intention, that we ſhould proceed; For that will want, which ſhould ſweeten the Cup of Medicine, he being his Country-man and Friend. Herein then we humbly crave

crave his Majeſty's Direction, with all convenient ſpeed, whether we ſhall expect the Duke's recovery, or proceed by our ſelves; or that his Majeſty will think of ſome other Perſon (qualified according to his Majeſty's Juſt Intention,) to be joyned with us. I remember we had ſpeech with his Majeſty of my Lord *Hay*, and I, for my part, can think of no other, except it ſhould be my Lord *Chancellor* of *Scotland*, for my Lord *Binning* may be thought too near Allied.

I am farther to know his Majeſty's Pleaſure concerning the day; for my Lord *Chancellor*, and I conceived his Majeſty to have deſigned the *Monday* and *Tueſday* after *St. George*'s Feaſt; and nevertheleſs we conceived alſo, that his Majeſty underſtood that the Examinations of *Somerſet* about this, and otherwiſe touching the *Spaniſh* Practices, ſhould firſt be put to a point; which will not be poſſible, as time cometh on, by reaſon of the accident of the Duke's Sickneſs, and the cauſe we find of Sir *William Mounſon*'s Examination, and that divers of the Peers are to be ſent for, from remote Places.

It may Pleaſe his Majeſty therefore, to take into conſideration, whether the days may not well be put off till *Wenſday* and *Thurſday* after the Term, which endeth on the *Monday*, being the *Wenſday* and *Thurſday* before *Whitſontide*; or, if that pleaſe not his Majeſty, (in reſpect it may be his Majeſty will be then in Town, whereas theſe Arraignments have been ſtill in his Majeſty's abſence from Town,) then to take *Monday* and *Tueſday* after *Trinity Sunday*, being the *Monday* and *Tueſday* before *Trinity* Term.

Now for Sir *William Mounſon*, if it be his Majeſty's Pleaſure that my Lord *Chancellor* and I ſhall proceed to the Examination of him, (for that of the Duke of *Lenox* differs, in that there is not the like cauſe as in that of

Somer-

Somerſet,) then his Majeſty may be pleaſed to direct his Commandment and Warrant to my Lord *Chief Juſtice*, to deliver unto me the Examination he took of Sir *William Mounſon*, that thoſe Joyned to the Information which we have received from Mr. *Vice Chamberlain*, may be full inſtructions unto us for his Examination. Farther, I pray let his Majeſty know, that on *Thurſday* in the Evening, my Lord *Chief Juſtice* and my ſelf attended my Lord *Chancellor* at his Houſe, for the ſettling that Scruple which his Majeſty moſt Juſtly conceived in the Examination of the *Lady Somerſet*; at which time, reſting on his Majeſty's Opinion, that that Evidence, as it ſtandeth now uncleared, muſt * *Secundum leges ſanæ conſcientiæ* be laid aſide; The queſtion was, whether we ſhould leave it out, or try what a reexamination of my Lady *Somerſet* would produce? Whereupon we agreed upon a reexamination of my Lady *Somerſet*, which my Lord Chief Juſtice and I have appointed for *Monday* Morning. I was bold at that Meeting to put my Lord *Chief Juſtice* a poſing Queſtion; which was, Whether that Opinion which his Brethren had given upon the whole Evidence, and he had reported to his Majeſty; *viz.* That it was good Evidence, in their Opinions, to Convict my Lord of *Somerſet*, was not Grounded upon this part of the Evidence now to be omitted, as well as upon the reſt. Who anſwered poſitively, No; and they never ſaw the Expoſition of the Letter, but the Letter only.

* According to the Laws of Good Conſcience.

The ſame Thurſday Evening, before we enter'd into this laſt matter, and in the preſence of *Mr. Secretary Winwood* (who left us when we went to the former buſineſs,) we had Conference concerning the Frauds, and abuſive Grants paſſed to the prejudice of His Majeſty's State of Revenue; where my Lord *Chief Juſtice* made ſome Relation of his Collections which he had

had made of that kind; of which I will only ſay this, that I heard nothing that was New to me, and I found my Lord *Chancellor* in divers Particulars, more ready than I found him. We grew to a Diſtribution both of *Times* and of *Matters*, for we agreed what to begin with preſently, and what ſhould follow, and alſo we had Conſideration what was to be holpen by Law, what by Equity, and what by Parliament, Wherein I muſt confeſs, that in the laſt of theſe (of which my Lord *Chief Juſtice* made moſt Account) I make moſt Doubt. But the Concluſion was, That upon this Entrance, I ſhould adviſe and confer at large with my Lord Chief Juſtice, and ſet things in Work. The particulars I refer till His Majeſty's coming.

The learned Council have attended me twice at my Chamber, to confer upon that which his Majeſty gave us in Commandment, for our Opinion upon the *Caſe* ſet down by my Lord *Chancellor*, whether the *Statutes* extend to it or no, Wherein we are more and more edifyed and confirmed, that they do not; and ſhall ſhortly ſend our *Report* to his Majeſty.

Sir I hope you will bear me Witneſs, I have not been Idle; but all is nothing to the Duty I owe his Majeſty, for his ſingular Favours paſt and preſent, ſupplying all with Love and Prayers I reſt,

Apr. 13. 1616. *Your true Friend and devoted Servant.*

Fra. Bacon.

LXV.

LXV.

To *Sir George Villiers.*

SIR,

I Received from you a Letter of very brief and clear Directions, and I think it a great Bleſſing of God upon me and my Labours, that my Directions come by ſo clear a Conduit, as they receive no Tincture in the Paſſage.

Yeſterday my Lord *Chancellor*, the Duke of *Lenox*, and my Self, ſpent the whole Afternoon at the Tower, in the Examination of *Somerſet*, upon the Articles ſent from his Majeſty, and ſome other Additionals, which were in Effect contained in the former, but extended to more particularity, by Occaſion of ſomewhat diſcovered by *Cotton*'s Examination, and Mr. *Vice-Chamberlain*'s Information.

He is full of Proteſtations, and would fain keep that quarter towards *Spain* clear; uſing but this for Argument, That he had ſuch Fortunes from his Majeſty, as he could not think of bettering his Conditions from *Spain*, becauſe (as he ſaid) he was no military Man. He cometh nothing ſo far on (for that which concerneth the *Treaty*) as *Cotton* which doth much aggravate Suſpicion againſt him. The farther Particulars I reſerve to his Majeſty's coming.

* As it were by the by.

In the end, * *tanquam Obiter*, but very effectually, my Lord *Chancellor* put him in mind of the State he ſtood in for the Impriſonment; but he was little moved with it, and pretended careleſneſs of life, ſince Ignominy had made him unfit for his Majeſty's Service. I am of Opinion, that the fair uſage of him, as

as it was fit for the *Spaniſh* Examinations, and for the Queſtions touching the Papers and Diſpatches, and all that; ſo it was no good Preparative, to make him deſcend into himſelf touching his preſent danger: And therefore my Lord *Chancellor* and my Self, thought not good to inſiſt upon it at this time.

I have received from my Lord *Chief Juſtice*, the Examination of Sir *William Mounſon*; with whom we mean to proceed to farther Examination with all ſpeed.

My Lord *Chief Juſtice* is altered touching the Re-examination of the Lady, and deſired me that we might ſtay till he ſpake with his Majeſty, ſaying it could be no caſting back to the Buſineſs which I did approve.

My Self with the reſt of my Fellows, upon due and mature Advice, perfected our *Report* touching the *Chancery*; for the receiving whereof, I pray you put his Majeſty in mind, at his coming, to appoint ſome time for us to wait upon him all together, for the Delivery in of the ſame, as we did in our former Certificate.

For the Revenue matters, I reſerve them to his Majeſty's coming; and in the mean time, I doubt not but Mr. Secretary *Winwood* will make ſome kind of Report thereof to His Majeſty.

For the Concluſion of your Letter concerning my own Comfort, I can but ſay the *Pſalm* of * *Quid retribuam?* God that giveth me Favour in his Majeſty's Eyes, will ſtrengthen me in his Majeſty's Service. I ever reſt

* What ſhall I render?

April 18. 1616.

Your true and devoted Servant.

Fra. Bacon.

To requite your *Poſtſcript* of Excuſe for ſcribling, I pray you excuſe that the Paper is not gilt, I writing from *Weſtminſter-Hall* where we are not ſo fine.

LXVI.

A Letter to the KING, *with His Majeſty's Obſervations upon it.*

It may pleaſe your moſt Excellent Majeſty,

YOur Majeſty hath put me upon a Work of Providence in this great Cauſe, which is to break and diſtinguiſh future Events into preſent Caſes; and ſo to preſent them to your Royal Judgement, that in this Action which hath been carried with ſo great Prudence; Juſtice; and Clemency; there may be, (for that which remaineth,) as little Surprize as is poſſible; But that things duly foreſeen may have their Remedies and Directions in readineſs; wherein I cannot forget what the *Poet Martial* ſaith; *O quantum eſt ſubitis caſibus ingenium*! ſignifying, that Accident is many times more ſubtil than Foreſight, and over-reacheth Expectation; and beſides, I know very well the meanneſs of my own Judgement, in comprehending or forecaſting what may follow.

It was your Majeſty's Pleaſure alſo, that I ſhould couple the Suppoſition with my Opinion in every of them, which is a harder Task; but yet your Majeſty's Commandment requireth my Obedience, and your Truſt giveth me Aſſurance.

I will put the *Caſe*, which I wiſh; that *Somerſet* ſhould make a clear Confeſſion of his Offences, before he be produced to Tryal.

Rex. *I ſay with* Apollo, † Medio tutiùs itur, *if it may ſtand with Law; and if it cannot, when I ſhall hear that he confeſſeth, I am to make Choice of the firſt or the laſt.*

In this *Caſe*, it ſeemeth your Majeſty will have a new Conſult. the Points whereof will be (1) Whether your Majeſty will ſtay the *Tryal*, and ſo ſave them both from the Stage, and that publick Ignominy. Or (2.) Whether you will (or may fitly by Law) have the *Tryal* proceed, and ſtay or reprieve the *Judgement*, which ſaveth the Lands from Forfeiture, and the Blood from Corruption. Or (3.) Whether you will have both *Tryal* and *Judgement* proceed and ſave the Blood only, not from corrupting, but from ſpilling.

† The middle way is the beſt.

Theſe be the Depths of your Majeſty's Mercy which I may not enter into; but for Honour and Reputation they have theſe grounds.

That the Blood of *Overbury* is already revenged by divers Executions.

That *Confeſſion* and *Penitency* are the *Footſtools* of *Mercy*, adding this Circumſtance likewiſe, that the former Offenders did none of them make a clear Confeſſion.

That the great Downfall of ſo great Perſons carrieth in it ſelf, a heavy Judgement and a kind of a civil Death, although their Lives ſhould not be taken.

All which may ſatisfie Honour for ſparing their Lives. But if your Majeſty's Mercy ſhould extend to the firſt Degree, which is the higheſt of ſparing the *Stage* and the *Tryal*; then three things are to be conſidered.

Rex. *This Article cannot be mended in Point thereof.*

Firſt, That they make ſuch a Submiſſion or Deprecation as they proſtrate themſelves, and all that they have, at your Majeſty's Feet, imploring your Mercy.

Secondly; That your Majeſty, in your own Wiſdom, do adviſe what Courſe you will take, for the utter extinguiſhing of all hopes of reſuſcitating of their *Fortunes* and *Favour*; whereof if there ſhould be the leaſt Conceit, it will leave in Men a great deal of Envy and Diſcontent.

And *laſtly*; whether your Majeſty will not ſuffer it to be thought abroad, that there is a Cauſe of farther Examination of *Somerſet*, concerning matters of Eſtate, after he ſhall begin once to be a Confeſſant, and ſo make as well a *Politick* Ground as a ground of *Clemency* for farther ſtay.

And for the ſecond Degree of Proceeding to Tryal, and ſtaying Judgement, I muſt better Inform my ſelf, by *Preſidents* and adviſe with my Lord *Chancellor*.

The

The *Second Caſe* is, if that fall out which is likeſt (as things ſtand and which we expect) which is, that the *Lady* confeſs: And that *Somerſet* himſelf plead not guilty, and be found guilty.

Rex. *If ſtay of Judgement can ſtand with the Law, I could even wiſh it in this Caſe: In all the reſt the Article cannot be mended.*

In this *Caſe firſt*, I ſuppoſe your Majeſty will not think of any ſtay of Judgement, but that the publick Proceſs of Juſtice paſs on.

Secondly, For your Mercy to be extended to both, for Pardon of their Execution, I have partly touched in the Conſiderations applyed to the former Caſe; whereunto may be added, that as there is ground of Mercy for her, upon her Penitency, and free Confeſſion, and will be much more upon his finding guilty; becauſe the Malice on his part will be thought the deeper Source of the Offence; ſo there will be ground for Mercy, on his part upon the nature of the Proof, and becauſe it reſts chiefly upon Preſumptions. For certainly, there may be an Evidence ſo balanced, as it may have ſufficient matter for the Conſcience of the Peers to convict him, and yet leave ſufficient matter in the Conſcience of a King upon the ſame Evidence, to pardon his Life; becauſe the Peers are aſtringed by Neceſſity, either to acquit or condemn; but Grace is free. And for my part, I think the *Evidence* in this preſent Caſe will be of ſuch a Nature.

Third-

Thirdly; it ſhall be my Care ſo to moderate the manner of charging him, as it might make him not odious beyond the Extent of Mercy.

Rex. *That Danger is well to be foreſeen, leſt he upon the one part commit unpardonable Errors, and I on the other part ſeem to puniſh him in the Spirit of Revenge.*

Laſtly; all theſe points of Mercy and Favour, are to be underſtood with this Limitation, if he do not by his Contemptuous, and Inſolent Carriage at the Barr, make himſelf uncapable and unworthy of them.

The *third Caſe* is, if he ſhould ſtand *Mute*, and will not plead, whereof your Majeſty knoweth, there hath been ſome Secret Queſtion.

In this *Caſe*, I ſhould think fit, that, as in Publick, both my ſelf, and chiefly my Lord *Chancellor*, (ſitting then as *Lord Steward* of *England*) ſhould dehort and deter him from that Deſperation; ſo nevertheleſs, that as much ſhould be done for him, as was done for *Weſton*, which was to adjourn the Court for ſome days, upon a Chriſtian Ground, that he may have time to turn from that mind of deſtroying himſelf; during which time your Majeſty's farther Pleaſure may be known.

Rex. *this Article cannot be mended.*

The

The *fourth Caſe* is that, which I ſhould be very ſorry it ſhould happen; but it is a future Contingent; that is if the Peers ſhould acquit him and find him not Guilty.

Rex. *This is ſo alſo.*

In this Caſe the Lord *Steward* muſt be provided what to do. For as it hath been never ſeen, (as I conceive it) that there ſhould be any rejecting of the *Verdict*, or any reſpiting of the *Judgment* of the Acquittal, ſo on the other ſide, this Caſe requireth, that becauſe there be many high and heinous Offences, (though not Capital) for which he may be queſtioned in the *Star Chamber*, or otherwiſe, that there be ſome touch of that in general, at the Concluſion, by my Lord *Steward* of *England*, And therefore he be remanded to the *Tower*, as cloſe Priſoner.

For matter of Examination, or other Proceedings; my Lord *Chancellor*, with my Advice hath ſet down,

To *morrow*, being Monday, for the Re-examination of the Lady.

Wedneſday next, for the meeting of the Judges, concerning the Evidence.

Thurſday, for the Examination of *Somerſet* himſelf, according to your Majeſty's Inſtructions.

Which three parts, when they ſhall be performed, I will give your Majeſty Advertiſement with ſpeed, and in the mean time be glad to receive from your Majeſty (whom it is my part to inform truly) ſuch Directions, or ſignifications of your Pleaſure, as this Advertiſement may induce, and that with ſpeed, becauſe the time cometh on: Well remembring who is the Perſon,

whom

whom your Majeſty admitted to this Secret; I have ſent this Letter open unto him, that he may take your Majeſty's times to report it, or ſhew it unto you; aſſuring my ſelf that nothing is more firm than his Truſt, tyed to your Majeſty's Commandments.

April 28. 1616. *Your Majeſty's, moſt humble and moſt bounden Subject and Servant.*

Fr. Bacon.

LXVII.

To Sir George Villiers.

SIR,

I I have received my Letter from his Majeſty, with his Marginal Notes, which ſhall be my Directions, being glad to perceive I underſtand his Majeſty ſo well. That ſame little *Charm*, which may be ſecretly infuſed into *Somerſet*'s Ear ſome few hours before his Tryal, was excellently well thought of by his Majeſty, and I do approve it, both for matter and time; only if it ſeem good to his Majeſty, I would wiſh it a little enlarged: For if it be no more than to ſpare his Blood, he hath a kind of proud humor, which may over-work the Medicine. Therefore I could wiſh it were made a little ſtronger, by giving him ſome hopes that his Majeſty will be good to his *Lady*, and *Child*; and that time (when Juſtice, and his Majeſty's Honour, is once ſaved and ſatisfied) may produce farther Fruit of his Majeſty's Compaſſion: which was to be ſeen in the Example of *Southampton*, whom his Majeſty, after Attainder, reſtored; and *Cobham* and *Gray*, to whom his Ma-

Majeſty notwithſtanding they were Offenders againſt his own Perſon) yet he ſpared their Lives; and for *Gray*, his Majeſty gave him back ſome part of his Eſtate, and was upon Point to deliver him much more: He having been ſo highly in his Majeſty's Favour, may hope well, if he hurt not himſelf by his publick Miſdemeanour.

For the Perſon that ſhould deliver this Meſſage, I am not ſo well ſeen in the Region of his Friends, as to be able to make Choice of a Particular; my Lord *Treaſurer*, the Lord *Knollys*, or any of his neareſt Friends, ſhould not be truſted with it; for they may go too far, and perhaps, work contrary to his Majeſty's Ends. Thoſe which occur to me, are my Lord *Hay*, my Lord *Burleigh*, (of *England*, I mean) and Sir *Robert Carre*.

My Lady *Somerſet* hath been re-examined, and his Majeſty is found, both a *true Prophet*, and a moſt *juſt King*, in that Scruple he made: For now She expoundeth the Word *He*, that ſhould ſend the Tarts to *Elway*'s Wife, to be of *Overbury*, and not of *Somerſet*; But for the Perſon that ſhould bid her, ſhe ſaith, it was *Northampton*, or *Weſton*, not pitching upon certainty, which giveth ſome Advantage to the Evidence.

Yeſterday being *Wedneſday*, I ſpent four or five Hours with the *Judges*, whom his Majeſty deſign'd to take Conſideration with the four *Judges* of the *Kings Bench*, of the Evidence againſt *Somerſet*. They all concur in Opinion, that the queſtioning, and drawing him on to Tryal, is moſt honourable and juſt, and that the Evidence is fair and good.

His Majeſty's *Letter* to the *Judges* concerning the *Commendams* was full of Magnanimity and Wiſdom. I perceive his Majeſty is never leſs alone, than when he is alone; for I am ſure there was no body by him

to inform him, which made me admire it the more.

The *Judges* have given a Day over, till the ſecond *Satterday* of the next Term; ſo as that matter may endure farther Conſideration, for his Majeſty not only not to loſe Ground, but to win Ground.

To morrow is appointed for the Examination of *Somerſet*, which by ſome Infirmity of the Duke of *Lenox*, was put off from this day. When this is done, I will write more fully, ever reſting,

May 2. 1616. *Your true and devoted Servant,*

Fr. Bacon.

LXVIII.

To Sir George Villiers.

SIR,

I Am far enough from Opinion, that the *Redintegration* or *Reſuſcitation* of *Somerſet*'s Fortune can ever ſtand with his Majeſty's Honour and Safety; and therein I think I expreſt my ſelf fully to his Majeſty in one of my former Letters; and I know well any expectation or thought abroad will do much hurt. But yet the Glimmering of that which the King hath done to others by way of talk to him, cannot hurt as I conceive; but I would not have that part of the Meſſage as from the King, but added by the Meſſenger, as from himſelf. This I remit to his Majeſty's Princely Judgement.

For the Perſon, though he truſt the Lieutenant well, yet it muſt be ſome new Man; For in theſe Caſes, that which

which is ordinary worketh not ſo great Impreſſions as that which is new and extraordinary.

The time I wiſh to be the *Tueſday*, being the Even of his *Lady*'s Arraignment. For as his Majeſty firſt conceived, I would not have it ſtay in his Stomack too long, leſt it ſowre in the digeſtion; and to be too near the time, may be thought to tune him for that day.

I ſend here withall the ſubſtance of that which I purpoſe to ſay nakedly, and only in that part which is of Tenderneſs; for that I conceive was his Majeſty's meaning.

It will be neceſſary, becauſe I have diſtributed parts to the two *Serjeants*, (as that Paper doth expreſs,) and they underſtand nothing of his Majeſty's pleaſure of the manner of Carrying the Evidence, more than they may gueſs by Obſervation of my Example, (which they may aſcribe as much to my nature, as to direction;) Therefore that his Majeſty would be pleaſed to write ſome few words to us all, Signed with his own hand, that the matter it ſelf being *Tragical* enough, bitterneſs and inſulting be forborn; and that we remember our part, to be to make him *Delinquent* to the *Peers*, and not *odious* to the *People*. That part of the Evidence of the *Lady*'s Expoſition of the Pronoun (*he*) which was firſt caught hold of by me, and afterwards by his Majeſty's ſingular Wiſdom and Conſcience, excepted to, and now is by her reexamination retracted, I have given order to *Serjeant Montague*, (within whoſe part it falleth) to leave it out of the Evidence. I do yet crave pardon, if I do not certifie touching the Point of Law for reſpiting the Judgement, for I have not fully adviſed with my *Lord Chancellor* concerning it, but I will advertiſe it in time.

I ſend his Majeſty the Lord *Steward*'s *Commiſſion* in two ſeveral Inſtruments, the *one* to remain with my

Lord *Chancellor*, which is that which is written in Secretary hand for his Warrant, and is to paſs the *Signet*; the *other*, that whereunto the Great Seal is to be affixed, which is in *Chancery*-hand, his Majeſty is to Sign them both, and to tranſmit the former to the Signet, if the Secretaries either of them be there, and both of them to be returned to me with all ſpeed, I ever reſt,

May 5. 1616. *Your true and devoted Servant,*

Fr. Bacon.

LXIX.

To the KING.

May it pleaſe your Majeſty,

WE have done our beſt Endeavours to perform your Majeſty's Commiſſion, both in matter and manner, for the Examination of my Lord *Somerſet*; wherein that which paſſed (for the General) was to this effect; That he was to know his own Caſe, for that his day of *Tryal* could not be far off; but that this days work was that which would conduce to your Majeſty's Juſtice little or nothing, but to your mercy much, if he did lay hold upon it; and therefore, might do him good, but could do him no hurt; For as for your Juſtice, there had been great and grave Opinion, not only of ſuch Judges, as he may think violent, but of the moſt ſaddeſt and moſt temperate of the Kingdom, who ought to underſtand the ſtate of the Proofs, that the Evidence was full to convict him, ſo as there needeth neither Confeſſion, nor

ſupply

ſupply of Examination. But for your Majeſty's mercy (although he were not to expect we ſhould make any promiſe) we did aſſure him, that your Majeſty was Compaſſionate of him, if he gave you ſome ground whereon to work; that as long as he ſtood upon his Innocency, and Tryal, your Majeſty was tyed in honour to proceed according to Juſtice; and that he little underſtood (being a Cloſe Priſoner) how much the *expectation* of the World, beſides your *love* to *Juſtice* it ſelf ingaged your Majeſty, whatſoever your Inclinations were: But nevertheleſs, that a frank and clear Confeſſion might open the Gate of Mercy, and help to ſatisfie the Point of Honour.

That his *Lady* (as he knew, and that after many Oaths and Imprecations to the contrary) had nevertheleſs in the end, been touched with remorſe, confeſſed that ſhe that led him to Offend, might lead him likewiſe to repent of his Offence. That the Confeſſion of one of them could not fitly do either of them much good, but the Confeſſion of both of them might work ſome farther effect towards both. And therefore, in concluſion, we wiſh'd him not to ſhut the Gate of your Majeſty's mercy againſt himſelf, by being obdurate any longer. This was the effect of that which was ſpoken, part by one of us, part by another, as it fell out, adding farther that he might well diſcern who ſpake in us, in the courſe we held; for that *Commiſſioners* for *Examination* might not preſume ſo far of themſelves.

Not to trouble your Majeſty with Circumſtances of his Anſwers, the ſequell was no other, but that we found him ſtill, not to come any degree farther on to confeſs; onely his Behaviour was very ſober, and modeſt and mild, (differing apparently from other times)

times) but yet, as it ſeem'd, reſolv'd to have his *Tryal.*

Then did we proceed to examine him upon divers Queſtions, touching the *Impoyſonment*, which indeed were very material, and ſupplemental to the former Evidence; wherein either his Affirmatives gave ſome light, or his Negatives do greatly falſifie him, in that which is apparently proved.

We made this farther Obſervation, that when we asked him ſome queſtion that did touch the *Prince*, or ſome *Foreign Practice*, (which we did very ſparingly at this time) yet he grew a little ſtir'd, but in the queſtions of the *Impoyſonment* very cold and modeſt. Thus not thinking it neceſſary to trouble your Majeſty with any farther Particulars, we end with Prayer to God, ever to preſerve your Majeſty.

Your Majeſty's moſt Loyal and Faithful Servant,

Fr. Bacon.

Poſtſcript. If it ſeem good unto your Majeſty we think it not amiſs ſome Preacher, (well choſen) had Acceſs to my Lord of *Somerſet*, for his preparing and Comfort, although it be before his *Tryal.*

LXX.

To the Lord Chief Juſtice Coke.

My very Good Lord,

THough it be true, that who conſidereth the Wind and the Rain, ſhall neither ſow nor reap; yet there is a ſeaſon for every Action, and ſo there is a time

time to ſpeak, and a time to keep ſilence. There is a time when the words of a poor ſimple man may profit; and that poor man in the *Preacher*, which delivered the City by his Wiſdom, found that without this Opportunity, the ower both of Wiſdom and Eloquence loſe but their labour, and cannot charm the deaf Adder. God therefore, before his *Son* that bringeth mercy, ſent his *Servant* the Trumpeter of Repentance to level every high Hill; to prepare the way before him, making it ſmooth and ſtreight: And as it is in Spiritual things, where *Chriſt* never comes before his way-maker hath laid even the heart with ſorrow and repentance; (ſince ſelf-conceited and proud Perſons think themſelves too good and too wiſe to learn of their Inferiours, and therefore need not the Phyſician;) ſo in the rules of earthly wiſdom, it is not poſſible for Nature to attain any Mediocrity of Perfection, before ſhe be humbled by knowing her ſelf, and her own ignorance. Not only knowledge, but alſo every other Gift (which we call the *Gifts* of *Fortune*) have power to puff up Earth: Afflictions only level thoſe Mole-hills of Pride; Plough the Heart, and make it fit for Wiſdom to ſow her ſeed, and for Grace to bring forth her increaſe. Happy is that man therefore, both in regard of Heavenly and Earthly wiſdom, that is thus wounded to be cured; thus broken to be made ſtraight; thus made acquainted with his own Imperfections, that he may be perfected.

Suppoſing this to be the time of your affliction, that which I have propounded to my ſelf is, by taking this ſeaſonable advantage, like a *true Friend* (though far unworthy to be counted ſo) to ſhew you, your true ſhape in a Glaſs, and that not in a falſe one, to flatter you, nor yet in one that ſhould make you ſeem worſe than you are, and ſo offend you; but in one made

by

by the reflection of your own words and actions; From whoſe light proceeds the *voice* of the *People*, which is often not unfitly called the *voice* of *God*. But therein (ſince I have purpoſed a truth) I muſt intreat liberty to be plain, a liberty that at this time I know not whether or no, I may uſe ſafely, I am ſure at other times I could not; yet of this reſolve your ſelf, it proceedeth from love, and a true deſire to do you good; that you knowing the General Opinion may not altogether neglect or contemn it, but mend what you find amiſs in your ſelf, and retain what your Judgment ſhall approve; for to this end ſhall truth be delivered as naked as if your ſelf were to be *Anatomized* by the hand of Opinion. All men can ſee their own profit, *That part of the Wallet hangs before.* A *true Friend* (whoſe worthy Office I would perform, ſince I fear, both *your ſelf*, and all *Great Men*, want ſuch, being themſelves true Friends to few or none) is firſt to ſhew the other, and which is from your Eyes.

Firſt, Therefore, behold your Errors; In diſcourſe you delight to ſpeak too much, not to hear other men; this, ſome ſay, becomes a *Pleader* not a *Judge*; For by this ſometimes your Affections are intangled with a love of your own Arguments, though they be the weaker, and rejecting of thoſe, which when your Affections were ſetled, your own Judgement would allow for ſtrongeſt. Thus while you ſpeak in your own *Element*, the *Law*, no man ordinarily equals you; but when you *wander* (as you often delight to do) you *wander* indeed, and give never ſuch ſatisfaction as the curious time requires. This is not cauſed by any natural defect, but firſt for want of *Election*, when you having a large and fruitful mind, ſhould not ſo much labour *what* to *ſpeak*, as to find *what* to *leave unſpoken*: *Rich Soils are often to be weeded.*

Secondly,

Secondly, You cloy your Auditory, when you would be obſerved; *Speech* muſt be either ſweet or ſhort.

Thirdly, You converſe with *Books*, not *Men*, and Books ſpecially humane, and have no excellent choice with *Men*, who are the *beſt Books*. For a man of Action and Employment you ſeldom converſe with, and then but with your Underlings; not freely, but as a *School-maſter* with his *Scholars*, *ever* to *teach*, *never* to *learn*; But if ſometimes you would in your Familiar Diſcourſe, hear others and make Election of ſuch as know what they ſpeak; you ſhould know many of theſe Tales you tell, to be but ordinary; and many other things, which you delight to repeat, and ſerve in for *Novelties*, to be but *ſtale*; As in your *Pleadings*, you were wont to inſult over *miſery*, and to inveigh bitterly at the *Perſons* (which bred you many Enemies, whoſe Poyſon yet ſwelleth, and the effects now appear;) ſo are you ſtill wont to be a little careleſs in this Point, to praiſe, or diſgrace, upon ſlight Grounds, and that ſometimes untruely; ſo that your Reproofs or Commendations, are, for the moſt part, neglected and contemned; When the *Cenſure* of a *Judge* (coming ſlow, but ſure) ſhould be a *Brand* to the Guilty, or a *Crown* to the Vertuous. You will jeſt at any man in Publick without reſpect of the Perſons Dignity, or your own: This diſgraceth your Gravity, more than it can advance the Opinion of your Wit; and ſo do all Actions which we ſee, you do directly with a touch of vain Glory, having no reſpect to the true end. You make the Law to lean too much to your Opinion, whereby you ſhew your ſelf to be a *Legal Tyrant*, ſtriking with that weapon where you pleaſe; ſince you are able to turn the edge any way. For thus the wiſe *Maſter* of the *Law* gives warning to young Students, that they ſhould be wary, leſt while they hope to be

inſtructed by your integrity and knowledge, they ſhould be deceived with your skill armed with Authority. Your too much love of the World is too much ſeen, when having the living of a thouſand you relieve few or none: The hand that has taken ſo much, can it give ſo little? Herein you ſhew no Bowels of Compaſſion, as if you thought all too little for your ſelf; or that *God* had given you all that you have (if you think *Wealth* to be his *Gift*, I mean that you get well, for I know ſure, the reſt is not) onely to that end you ſhould ſtill gather more, and never be ſatisfied; but try how much you would gather, to accompt for all at the Great and General *Audit*-day. We deſire you to amend this, and let your poor *Tenants* in *Norfolk* find ſome Comfort, where nothing of your Eſtate is ſpent towards their relief, but brought up hither, to the Impoveriſhing of your Country.

In your *laſt*, which might have been your *beſt piece* of *Service* to the *State*, affectioned to follow that old rule, which giveth Juſtice *Leaden Heels*, and *Iron Hands*; you uſed too many delays till the *Delinquents* Hands were looſed, and yours bound: In that work you ſeemed another *Fabius*; Where the humour of *Marcellus* would have done better: What need you have ſought more Evidences than enough? while you pretended the finding out of more (miſſing your aim) you diſcredited what you had found. This beſt Judgements think; though you never uſed ſuch *Speeches* as are Fathered upon you; yet you might well have done it, and but rightly; For this *Crime* was ſecond to none, but the *Powder-Plot*: *That* would have blown up all at one blow, a merciful cruelty; *This* would have done the ſame by degrees, a lingring, but a ſure way; One might by one be called out, till all oppoſers had been removed.

Beſides,

Beſides, that other Plot was Scandalous to *Rome*, making *Popery* Odious in the ſight of the whole World; This hath been Scandalous to the whole *Goſpel*; and ſince the firſt *Nullity* to this inſtant, when Juſtice hath her hands bound, the Devil could not have invented a more miſchievous practice, to our State and Church, than this hath been, is, and is like to be. God avert the Evil.

But herein you committed another fault; That as you were too open in your Proceedings, and ſo taught them whereby to defend themſelves; ſo you gave them time to undermine Juſtice, and to work upon all Advantages, both of Affections and Honour, and Opportunity, and Breach of Friendſhip; which they have ſo well followed, ſparing neither Pains nor Coſts, that it almoſt ſeemeth an higher offence in you to have done ſo much indeed, than that you have done no more; you ſtopt the Confeſſions and Accuſations of ſome who perhaps, had they been ſuffered, would have ſpoken enough to have removed ſome ſtumbling Blocks out of your way; and that you did not this in the favour of any one, but of I know not what preſent unadviſed humours, ſuppoſing enough behind to diſcover all; which fell not out ſo. Howſoever, as the *Apoſtle* ſaith in another Caſe, you *went not rightly to the truth*; and therefore though you were to be commended for what you did; yet you were to be reprehended for many Circumſtances in the doing; and doubtleſs God hath an eye in this Croſs, to your negligence; and the Briers are left to be pricks in your ſides, and thorns in your eyes. But that which we commend you for, are thoſe *Excellent Parts* in *Nature*, and *Knowledge* in the *Law*, which you are endued withall; but theſe are onely good in their good uſe. Wherefore we thank you heartily for ſtanding ſtoutly in the Common-

wealth's behalf; hoping it proceedeth not from a diſpoſition to oppoſe Greatneſs, (as your Enemies ſay) but to do Juſtice, and deliver truth indifferently, without reſpect of Perſons; and in this we pray for your proſperity, and are ſorry that your good actions ſhould not always ſucceed happily. But in the carriage of this you were faulty, for you took it in hand in an evil time, both in reſpect of the preſent *Buſineſs* which is interrupted, and in regard of his preſent *Sickneſs* whom it concerned, whereby you diſunited your ſtrength, and made a Gap for the Enemies to paſs out at, and to return and aſſault you.

But now ſince the Caſe ſo ſtandeth, we deſire you to give way to power, and ſo to fight that you be not utterly broken, but reſerved intirely to ſerve the Commonwealth again, and do what good you can, ſince you cannot do all the good you would, and ſince you are fallen upon this Rock, caſt out the Goods to ſave the Bottom: Stop the Leaks and make towards Land; Learn of the Steward, to make Friends of the unrighteous *Mammon*. Thoſe *Spaniards* in *Mexico* who were chaſed of the *Indians*, tell us what to do with our Goods in our Extremity, they being to paſs over a River in their Flight, as many as caſt away their *Gold*, ſwam over ſafe; but ſome more covetous, keeping their *Gold*, were drowned with it, or over-taken and ſlain by the Savages: You have received, now learn to give. The *Beaver* learns us this Leſſon, who being hunted for his Stones bites them off; You cannot but have much of your Eſtate (pardon my plainneſs) ill got; think how much of that you never ſpake for, how much by ſpeaking injuſtly or in unjuſt Cauſes. Account it then a bleſſing of God, if thus it may be laid out for your good, and not left for your heir, to haſten the waſting of much of the reſt, perhaps of all: For ſo

we

we ſee God oftentimes proceeds in Judgement with many haſty Gatherers; You have enough to ſpare, being well laid to turn the Tide, and fetch all things again. But if you eſcape, I ſuppoſe it worthy of an (If) ſince you know the old uſe, that none called in Queſtion muſt go away Uncenſured. Yet conſider that *Accuſations* make Wounds, and leave Scars, and though you ſee the *Toyle* behind your back, your ſelf free, and the *Covert* before, yet remember there are *Stands*; Truſt not a reconciled Enemy; but think the peace is but to ſecure for farther advantage, or expect a ſecond and a third Encounter; the *Main Battle*; the Wings are yet unbroken, they may Charge you at an inſtant, or death before them; Walk therefore Circumſpectly, and if at length by means of our good Endeavours, and yours, you recover the favour that you have loſt; give God the Glory in action, not in words only; and remember us with ſenſe of your paſt misfortune, whoſe *Eſtate* hath, and may hereafter lye in the power of your breath.

There is a great mercy in *Diſpatch*, Delays are Tortures, wherewith by degrees we are rent out of our Eſtates (*a*); do not you (if you be reſtored) as ſome others do fly from the ſervice of Vertue to ſerve the time, as if they repented their Goodneſs, or meant not to make a ſecond Hazard in God's Houſe; but rather let this Croſs make you zealous in God's Cauſe, ſenſible in ours, and more ſenſible in all; which expreſs thus, You have been a great Enemy to *Papiſts*, if you love God, be ſo ſtill, but more indeed than heretofore; for much of your zeal was heretofore waſted

(*a*) My Lord *Bacon* obſerves in his *Eſſays* that the Scripture ſaith, There be that turn Judgement into Wormwood; and ſaith he, Surely there be alſo that turn it into Vinegar; For *Injuſtice* maketh it bitter, and *Delays* make it ſowre.

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in words, call to remembrance that they were the perſons that Propheſied of that Croſs of yours long before it happened; they ſaw the Storm coming, being the principal Contrivers and furtherers of the Plot, the Men that blew the Coals, heat the Iron, and made all things ready, they owe you a good Turn, and will if they can pay it you; You ſee their hearts by their deeds, prove then your Faith ſo too: The beſt good work you can do, is to do the beſt you can againſt them, that is to ſee the Law ſeverely, juſtly and diligently executed.

And now we beſeech you, *my Lord*, be ſenſible both of the Stroak, and hand that ſtriketh; learn of *David* to leave *Shimei*, and call upon God, he hath ſome great work to do, and he prepareth you for it; He would never have you faint, nor yet bear this Croſs with a *Stoical* reſolution; There is a *Chriſtian Mediocrity*, worthy of your Greatneſs. I muſt be plain, perhaps raſh; had ſome *Notes* which you had taken at *Sermons* been written in your heart to practiſe; this work had been done long ago, without the Envy of your Enemies; but when we will not mind our ſelves, God (if we belong to him) takes us in hand, and becauſe he ſeeth that we have unbridled Stomacks, therefore he ſends outward Croſſes, which, while they cauſe us to mourn, do comfort us, being aſſured Teſtimonies of his love that ſends them. To humble our ſelves therefore before God, is the part of a *Chriſtian*; but for the World and our Enemies, the Counſel of the *Poet* is apt,

Tu ne cede malis, ſed contrà audentior ito,

But thou, ſecure of Soul, unbent with Woes.
The more thy Fortune frowns, the more oppoſe.
Dryd. Virg. Lib. 6.

The

The laſt part of this Council you forget; yet none need be aſhamed to make uſe of it, that ſo being Armed againſt Caſualties, you may ſtand firm againſt the Aſſaults on the right Hand, and on the left. For this is certain, the *Mind* that is moſt prone to be puft up with *Proſperity*, is moſt weak, and apt to be dejected with the leaſt Puff of *Adverſity*. Indeed She is ſtrong enough to make an Able Man ſtagger, ſtriking terrible Blows; But true Chriſtian Wiſdom gives us Armour of Proof, againſt all Aſſaults, and teacheth us *in all Eſtates to be content*; for though She cauſe our trueſt Friends, to declare themſelves our Enemies; Though She give heart then, to the moſt cowardly to ſtrike us; Though an hours continuance countervails an Age of Proſperity; Though She caſt in our Diſh all that ever we have done; Yet hath She no Power to hurt the humble and wiſe, but only to break ſuch as too much Proſperity hath made ſtiffe in their own Thoughts, but weak indeed; and fitted for renewing. When the Wiſe rather gather from thence Profit and Wiſdome; by the Example of *David*, who ſaid, *Before I was chaſtiſed I went aſtray*. Now then he that knoweth the right way, will look better to his Footing. *Cardan* ſaith, *That Weeping, Faſting and Sighing, are the chief Purgers of Grief*; Indeed naturally they do aſſwage Sorrow; But *God* in this Caſe, is the only and beſt Phyſitian; the Means he hath Ordained are the Advice of Friends, the Amendment of our ſelves; for Amendment is both Phyſitian and Cure. For Friends, Although your *Lordſhip* be ſcant, yet I hope you are not altogether deſtitute; If you do but look upon *good Books*, they are *true Friends*, that will neither flatter nor diſſemble; be you but true to your Self, applying what they teach unto the Party grieved, and you ſhall need

need no other Comfort nor Council. To them, and to God's holy Spirit, directing you in the reading of them, I commend your *Lordſhip*; beſeeching him to ſend you a good Iſſue out of theſe Troubles, and from henceforth to work a Reformation in all that is amiſs, and a reſolute Perſeverance, Proceeding and Growth, in all that is good, and that for his Glory, the bettering of your Self, this Church, and Commonwealth; whoſe Faithful Servant whilſt you remain,

I remain,

a Faithful Servant
to you.

Fra. Bacon

LXXI.

To Sir George Villiers.

SIR,

THE Time is, as I ſhould think, now, or never, for his Majeſty, to finiſh his good meaning towards me; If it pleaſe him to conſider, what is paſt, and what is to come.

If I would tender my Profit, and oblige Men unto me, by my Place and Practice, I could have more Profit than I could deviſe; And could oblige all the World, and offend none; which is a brave Condition, for a Man's private. But my Heart, is not, on theſe things. Yet on the other ſide, I would be ſorry, that worthleſs Perſons, ſhould make a Note, that I get nothing, but Pains and Enemies; and a little popular Reputation, which

which followeth me, whether I will or no. If any thing be to be done for your ſelf, I ſhould take infinite Contentment; That my *Honour*, might wait upon yours: But I would be loath, it ſhould wait upon any Man's elſe. If you would put your Strength, to this Buſineſs, it is done; and that done, many things more will begin. God keep you ever. I reſt

May 30. 1616.

Your true and devoted Servant.

Fra. Bacon.

LXXII.

To the KING.

May it pleaſe your moſt Excellent Majeſty,

I am not ſwift to deliver any thing to your Majeſty, before it be well weighed. But now that I have Informed my Self of as much as is neceſſary, touching this Proceeding of the *Judges*, to the Argument of the *Commendams* (notwithſtanding your Majeſty's Pleaſure ſignified by me, upon your Majeſty's Commandment; in Preſence of my Lord *Chancellor* and the *Biſhop* of *Winchester* to the contrary,) I do think it fit to adverti ſe your Majeſty what hath paſſed; the rather becauſe I ſuppoſe the Judges, ſince they perform'd not your Commandment, have at leaſt given your Majeſty their Reaſons of failing therein; I being to anſwer for the doing your Majeſty's Commandments, and they for the not doing.

I did conceive, that in a Cauſe that concerned your Majeſty and your Royal Power, the *Judges* having

heard your *Attorney General* argue the *Saturday* before, would of themſelves have taken farther time to be adviſed.

And (if I fail not in memory) my Lord *Coke* received from your Majeſty's ſelf, as I take it, a precedent Commandment, in *Hilary* Term ; that both in the *Rege inconſulto*, and in the *Commendams*, your *Attorney* ſhould be heard to ſpeak, and then ſtay to be made of farther Proceedings, till my Lord had ſpoken with your Majeſty.

Nevertheleſs, hearing that the Day appointed for the Judges Argument held, contrary to my Expectation, I ſent on *Thurſday* in the Evening (having received your Majeſty's Commandment but the Day before , in the Afternoon) a Letter to my Lord *Coke*, whereby I let him know, that upon ſome Report of my *Lord* of *Wincheſter*, (who by your Commandment was preſent at my Argument of that which paſſed ;) it was your Majeſty's expreſs Pleaſure, that no further Proceedings ſhould be, until you had conferr'd with your Judges; which your Majeſty thought to have done at your being now laſt in Town ; but by Reaſon of your many and weighty Occaſions, your Princely Times would not ſerve ; and that it was your pleaſure he ſhould ſignifie ſo much to the reſt of the Judges, whereof his *Lordſhip* might not fail. His Anſwer by Word to my Man was, that it were good the reſt of the Judges underſtood ſo much from my ſelf, whereupon I (that cannot skill of Scruples in matter of Service) did write, on *Friday* three ſeveral Letters of like Content, to the *Judges* of the *Common Pleas*, and the *Barons* of the *Exchequer*, and the other three Judges of the *Kings Bench*, mentioning in that laſt, my particular Letter to my Lord *Chief Juſtice*.

This

This was all I did, and thought all had been ſure, in ſo much as the ſame Day being appointed in *Chancery* for your Majeſty's great Cauſe, (followed by my Lord *Hunſden* *) I writ two other Letters to both *Chief Juſtices*, to put them in mind of aſſiſting my Lord *Chancellor* at the Hearing. And when my Lord *Chancellor* himſelf took ſome Notice upon that Occaſion openly in the *Chancery*, that the *Commendams* could not hold preſently after, I heard the Judges were gone about the *Commendams*; which I thought at firſt, had been only to adjourn the Court. But I heard after, that they proceeded to Argument.

*This Caſe is reported by my Lord *Hobart*. p. 109.

In this their doing, I conceive they muſt either except to the Nature of the Commandment, or to the Credence thereof; both which, I aſſure my ſelf, your Majeſty will maintain.

For if they ſhould ſtand upon the general Ground, * *nulli negabimus, nulli differemus Juſtitiam*, it receiveth two Anſwers. The *one*; That reaſonable and mature Advice may not be confounded, with delay; and that they can well alledge when it pleaſeth them. The *other* is that there is a great Difference between a Caſe meerly between Subject and Subject, and where the King's Intereſt is in Queſtion directly or by Conſequence. As for the *Attorney*'s Place and Commiſſion, it is as proper for him to ſignifie the *King*'s *Pleaſure* to the *Judges*; as for the *Secretary* to ſignifie the ſame to the *Privy Council*; and ſo it hath ever been.

* We will not deny, or delay doing Juſtice to any Perſon. *Magn. Charta.*

Theſe things were a little ſtrange, if there came not ſo many of them together, as the one maketh the other ſeem leſs ſtrange: But your Majeſty hath fair Occaſions to remedy all, with ſmall Aid; I ſay no more for the preſent.

I was a little plain with my Lord *Coke* in theſe Matters; and when his Anſwer was, that he knew all theſe things, I ſaid he could never profit too much, in knowing himſelf, and his Duty.

LXXIII.

A Memorial *for His* Majeſty. *Copyed from the Original, Corrected in a Place or two, with Sir* Fra. Bacon's *own Hand.*

IT ſeemeth this *Year*, of the 14th, of his Majeſty's Reign, being a Year of a kind of *Majority* in his *Government*, is conſecrate to *Juſtice*. (*a*) Which as his Majeſty hath performed to his Subjects in this late memorable Occaſion, ſo he is now to render and perform to himſelf, his Crown and Poſterity.

That his *Council* ſhall perceive by that which his Majeſty ſhall now communicate with them, that the *Maſs* of his Buſineſs is continually prepared in his own Royal Care and Cogitations, howſoever he produceth the ſame to Light, and to act *per Opera dierum.* (*b.*)

(*a*) By the Laws, ſeveral Ages are aſſigned to Perſons for ſeveral Purpoſes. And by the Common Law, the fourteenth Year is indeed a kind of Majority, and accounted an Age of Diſcretion. At that time the Man may agree or diſagree to a Precedent Marriage. The Heir in *Soccage* may reject the Guardian appointed by Law, and chuſe a new one. And the Woman at that Age ſhall be out of Ward, *&c.*

(*b*) *Per Opera Dierum.* By the *Work* of *Days*, alluding to the ſolemn Gradations Almighty God was pleaſed to obſerve in the creating of the World. In this Paragraph Sir *Francis Bacon* inſinuates, what he expreſly declares in his *Eſſays*. That in all Negotiations of Difficulty, a Man muſt firſt prepare Buſineſs, and ſo ripen it by Degrees.

That

That his Majeſty ſhall make unto them now a *Declarative* of two great Cauſes, whereof he doubteth not they have heard by Glympſes; the one concerning his high *Court* of *Chancery*, the other concerning the *Church* and *Prelacy*; but both of them deeply touching his Prerogative and Sovereignty, and the Flowers of his Crown.

That about the end of *Hillary Term* laſt, there came to his Majeſty's Ears, only by common Voice and Report, not without great Rumour and Wonder, that there was ſomewhat done in the *Kings Bench* the laſt Day of that Term, whereby his *Chancery* ſhould be pulled down, and be brought in Queſtion for *Premunire* being the moſt heinous Offence after Treaſon, and Felony, and Miſpriſion of Treaſon: and that the time ſhould be, when the *Chancellor* lay at the Point of Death.

That his Majeſty was ſo far from hearing of this by any Complaint from his *Chancellor* (who then had given over worldly Thoughts) that he wrote Letters of Comfort to him upon this Accident, before he heard from him; and for his *Attorney*, his Majeſty challenged him for not advertiſing him of that, of which it was proper for his Majeſty to be informed from him.

That his Majeſty being ſenſible of this ſo great Novelty and Perturbation in his Courts of Juſtice; nevertheleſs uſed this Method and Moderation, That before he would examine this great Affront and Diſgrace offered to his *Chancery* and *Chancellor*, he would firſt inform himſelf whether the *Chancery* or *Chancellor* were in Fault; and whether the former *Preſidents* of *Chancery* did warrant the Proceedings there after Judgment paſſed at Common Law (which was the thing in Queſtion) and thereupon his Majeſty called his learned Coun-

Council to him and Commanded them to examine the Preſidents of Chancery, and to certifie what they found; which they did, and by their *Certificate* it appeareth, that the Preſidents of that kind, were many, and preciſe in the Point, and conſtant, and in good times, and allowed many times by the *Judges* themſelves,

That after this; his Majeſty received from the Lord *Chancellor* a *Caſe*, whereby the *Queſtion* was clearly ſet down and contained within the proper Bounds of the preſent Doubt, being *Whether upon apparent Matter of Equity, which the Judges of the Law by their Place and Oath cannot meddle with or releive, (if a Judgment be once paſſed at Common Law) the Subject ſhall periſh, or that the* Chancery *ſhall relieve him, and whether there be any* Statute of Premunire *or other, to reſtrain this Power in the* Chancellor; which Caſe upon the Requeſt of the *Lord Chancellor* his Majeſty likewiſe referred to his Learned Council, (and the Princes *Attorney* Mr. *Walter* was joined with them) who upon great Advice and View of the Original Records themſelves, certified the *Chancery* was not reſtrained by any Statute in that Caſe.

That his Majeſty again required his learned Council to call the *Clerks* of the *Kings Bench* to them, and to receive from them any Preſidents of *Indictments* in the *Kings Bench* againſt the *Chancery* for proceeding in the like Caſe, who produced only two Preſidents, being but Indictments offered or found, upon which there was no other Proceeding, and the Clerks ſaid they had uſed Diligence and could find no more,

That his Majeſty after he had received this Satisfaction that there was ground, for that the *Chancery* had done; and that the *Chancery* was not in fault; he thought then it was time to queſtion the Miſdemeanour and

and Contempt, in ſcandalizing and diſhonouring his Juſtice in that high *Court* of *Chancery*, in ſo odious a Manner: and commanded his *Attorney General* with the Advice of the reſt of his learned Council, to proſecute the Offenders in the *Star-Chamber* which is done; and ſome of them are fled, and others ſtand out, and will not anſwer.

That there reſteth only one part more, towards his Majeſty's compleat Information in this Cauſe; which is to examine that which was done in open Court the ſaid laſt Day of *Hillary* Term, and whether the Judges of the *King*'s *Bench* did commit any Exceſs of Authority; or did animate the Offenders otherwiſe, than according to their Duty and Place; which Enquiry, becauſe it concerneth the Judges of a Court (to keep Order and Decorum) his Majeſty thinketh not ſo convenient to uſe his learned Council therein, but will commit the ſame to ſome of the *Council Table*, and his learned Council to attend them.

This declared, or what elſe his Majeſty in his own high Wiſdom ſhall think good: it will be fit time to have the *Certificate* of the learned Council openly read.

His Majeſty may, if he pleaſe, forbear to publiſh at this time at the Table the *Committees*; but ſignifie his Pleaſure to themſelves afterwards.

The Committees named by his Majeſty were the *Archbiſhop* of *Canterbury*, *Secretary Lake*, the *Chancellor* of the *Exchequer*, and the *Maſter* of the *Rolls*.

This Report is to be prefixed, to be given in by *Wedneſday* at Night, that his Majeſty may communicate it with his Council, and take further Order on *Thurſday* thereupon, if his Majeſty be ſo pleaſed.

At this *Declaration*, it is his Majeſty's Direction (to the end things may appear to be the more evenly carried,)

ried,) that neither my Lord *Chancellor*, nor my *Chief Juſtice* be preſent.

But then when his Majeſty entreth into the ſecond Declarative, my Lord *Chancellor* is to be called for: but my Lord *Chief Juſtice* not; becauſe it concerneth him.

For the *Second Declarative*, that his Majeſty hath Reaſon to be offended and grieved, in that which paſſed touching the *Commendams* both in Matter and Manner; for the Matter, That his Majeſty's Religious Care of the *Church* and of the *Prelacy*, and namely of his Lords Spiritual the Biſhops, may well appear; firſt, in that he hath utterly expelled thoſe Sectaries or inconformable Perſons that ſpurned at the Government. Secondly, That by a *Statute* made in the *firſt Year* of his *Reign*, he hath preſerved their Livings from being waſted and delapidate by long Leaſes, and therein bound himſelf and his Crown and Succeſſion: And laſtly, That they ſee two Biſhops privy Counſellors at the Table, which hath not been of late Years.

That agreeably to this, his Majeſty's Care and good Affection, hearing that there was a Caſe of the Biſhop of *Lincoln*'s, wherein his Majeſty's ſupreme Power of Granting *Commendams* (which in reſpect of the Exility of Biſhopricks is ſometimes neceſſary) was queſtioned to be overthrown or weakened; he commanded his *Attorney General*, not only to have Care to maintain it according to his Place, but alſo that he ſhould relate to his Majeſty how things paſſed; and did alſo Command the Biſhop of *Wincheſter* to be preſent at the publick Argument of the Caſe; and to report to his Majeſty the true State of that Queſtion, and how far it extended.

This

This being accordingly done; then upon Report of the Biſhop of *Wincheſter* in preſence of the *Lord Chancellor*; His Majeſty thought it neceſſary, That before the Judges proceeded to declare their Opinion, they ſhould have Conference with his Majeſty to the end to ſettle ſome Courſe, that Juſtice might be done, and his Regal Power (whereof his Crown had been ſo long veſted) not touched nor diminiſhed. And thereupon commanded his *Attorney* (who by his Place ought properly to ſignifie his Majeſty's Pleaſure to his *Judges*, as his *Secretary* doth to his *Privy Council*) in the Preſence of the Lord Chancellor and the Biſhop, to ſignifie his Pleaſure to the Judges, that becauſe his Majeſty thought it needful to conſult with them in that Caſe, before they proceeded to Judgment, and that his Majeſty's Buſineſs (as they all knew) was very great, and *Midſummer* Term ſo near at hand, and the Cauſe argued by his *Attorney* ſo lately, they ſhould put off the Day till they might adviſe with his Majeſty at his next Coming to Town. That his Majeſty's *Attorney* ſignified ſo much by his Letters (the next Day after he, had received his Commandment) to all the Judges, and that in no imperious manner, but alledging the Circumſtances aforeſaid, that the Caſe was lately Argued; his Majeſty's Buſineſs great; another Term at hand, *&c.*

Now followeth the *Manner* that was held in this, which his Majeſty conceiveth was not only indiſcreet, but preſumptuous and contemptuous.

For *firſt*, they diſobeyed this his Majeſty's Commandment, and proceeded to publick Argument notwithſtanding the ſame; and thought it enough to certifie only their Mind to his Majeſty.

Secondly, in a general *Letter* under all their Hands (howſoever it may be upon divided Opinion) they

alledge unto his Majeſty their *Oath*; and that his Majeſty's Commandment (for the *Attorney*'s Letter, was but the Caſe that it was wrapped in) was againſt Law: As if Maturity and a deliberate Proceeding were a Delay, or that Commandment of Stay in reſpect of ſo high a Queſtion of State, and Prerogative, were like a Commandment gotten by Importunity, or in Favour of a Suitor.

Thirdly, above all, it is to be noted and juſtly doubted, that upon the contrary in this that they have done, they have broken their *Oath*; For their Oath is to counſel the King when they ſhall be called; and if when the King calleth them to Council, they will do the Deed firſt, and give him Council after, this is more than a ſimple Refuſal.

Laſtly, it is no new Thing upon divers particular Occaſions, of a far higher Nature, than the Conſulting with their *Sovereign* about a Cauſe of great Moment, to put off Days, and yet no Breach of Oath. And there was another fair Paſſage well known to my Lord *Coke*, that he might have uſed if it had pleaſed him; for that every Day was appointed for the King's great Cauſe in the *Chancery*, both for my Lord *Hobart* and him; which Cauſe ought to have had Precedence afore any privateCauſe,asthey would have this ſeem to be.

To this Letter his Majeſty made a moſt Princely and prudent Anſwer, which I leave to it ſelf.

Upon this *Declaration* his Majeſty will be pleaſed to have the Judges Letter and his own Letter read.

Then his Majeſty (for his part as I conceive) will be pleaſed to ask the Advice of his Council as well for the Stay of the new Day which is *Saturday* next, as for the Cenſure and Reproof of the Contempt paſſed; for though the *Judges* are a Reverend Body; yet they are (as all Subjects are) Corrigible.

To

LXXIV.

To Sir George Villiers.

SIR,

THE *King* giveth me a noble Choice; and you are the Man, my Heart ever told me, you were. Ambition would draw me, to the latter part of the Choice; but in reſpect of my hearty Wiſhes, that my Lord *Chancellor* may live long; and the ſmall hopes I have, that I ſhall live long my Self; And above all, becauſe I ſee his Majeſty's Service, daily and inſtantly, bleedeth; towards which, I perſwade my ſelf, (vainly perhaps, but yet in mine own Thoughts, firmly and conſtantly) that I ſhall give, when I am of the *Table*, ſome effectual Furtherance, as a poor *Thred* of the Labyrinth, which hath no other Virtue, but an united Continuance, without Interruption or Diſtraction;) I do accept of the former, to be *Counſellor* for the preſent, and to give over *Pleading* at *Barr*; let the other Matter reſt upon my Proof, and his Majeſty's Pleaſure, and the Accidents of Time. For to ſpeak plainly, I would be loath, that my Lord *Chancellor*, to whom I owe moſt after the King, and your Self, ſhould be locked to his *Succeſſor*, for any Advancement, or graceing of me. So I ever remain,

June 3. 1616.

Your true and moſt Devoted
and Moſt Obliged Servant,

Fr. Bacon.

LXXV.

To Sir George Villiers.

SIR,

I Send his Majeſty a Draught, of the *Act* of *Council*, concerning the *Judges* Letter; penned as near as I could to his Majeſty's Inſtructions received in your Preſence. I then told his Majeſty, my Memory was not able, to keep way with his; and therefore his Majeſty will pardon me for any Omiſſions, or Errours; and be pleaſed, to ſupply, and reform the ſame. I am preparing, ſome other Materials, for his Majeſty's excellent Hand, concerning Buſineſs that is coming on. For ſince his Majeſty, hath *renewed my Heart* within me, methinks, I ſhould double my Endeavours. God ever preſerve and proſper you; I reſt,

June 12. 1616.

Your moſt devoted and bounden Servant,

Fr. B.

LXXVI.

LXXVI.

Touching the *Commendams*.

At *Whitehall* the Sixth of *June*, *Anno* 1616.

Preſent the KING's MAJESTY.

Lord Archbiſhop of Cant.
Lord Chancellor.
Lord Treaſurer.
Lord Privy Seal.
Lord Chamberlain.
Duke of Lenox.
Lord Zouche.
Biſhop of Winton.
Lord Knollys.
Lord Wotton.
Lord Stanhop.
Lord Fenton.
Mr. Vice-Chamberlain.
Mr. Secretary Winwood.
Mr. Secretary Lake.
Mr. Chancellor of the Exchequer.
Maſter of the Rolls.

HIS *Majeſty* having this day given Order for Meeting of the Council, and that all the *Judges* (being Twelve in Number) ſhould be ſent for to be preſent, when the Lords were ſat, and the Judges ready attending; His *Majeſty* came himſelf in Perſon to *Council*, and opened to them the Cauſe of that Aſſembly; which was that he had called them together concerning a *Queſtion* that had Relation to no private Perſon, but concerned *God* and the *King*, the power of this *Crown*, and the State of his *Church*, whereof he was *Protector*; and that there was no fitter place to

It is very clear, that this is the *Act* of *Council* referred to in the preceding Letter, and drawn up by Sir *Fr. Bacon*, which being written in a fair manner, I accidentally bought, and have corrected ſeveral Errors therein. If any remain, as I believe the Reader will think there doth; it is becauſe I had no opportunity to peruſe the Council-Books.

handle

handle it, than at the Heads of his *Council*-Table: That there had been a *Queſtion* pleaded and argued concerning *Commendams*; The proceedings wherein had either been miſreported or mishandled; for his Majeſty a year ſince had receiv'd Advertiſements concerning the Cauſe in two Entrances, by ſome that Intrenched into his *Prerogative Royal*, in the General Power of Granting *Commendams*; and by others, that the Doubt reſted onely upon a ſpecial nature of a *Commendam*, ſuch as in reſpect of the Incongruity and exorbitant form thereof might be queſtioned without impeaching or weakening the General Power of all.

Whereupon his Majeſty willing to know the true ſtate thereof, commanded the Lord *Biſhop* of *Wincheſter*, and Mr. *Secretary Winwood* to be preſent at the next Argument, and to report the ſtate of the Queſtion and proceeding to his Majeſty. But Mr. *Secretary Winwood* being abſent by Occaſion, the *Lord* of *Wincheſter* onely was preſent, and made Information to his Majeſty of the Particulars thereof, which his Majeſty Commanded him to report to the Board. Whereupon the Lord of *Wincheſter* ſtood up, and ſaid, That *Serjeant Chiborne*, who argued the Cauſe againſt the *Commendams* had maintained divers Poſitions and Aſſertions very prejudicial to his Majeſty's Prerogative Royal; as firſt, That the Tranſlation of *Biſhops* was againſt the *Canon Law*; and for Authority vouched the *Canons* of the *Council* of *Sardis*: That the King had not power to Grant *Commendams*, but in caſe of Neceſſity, that there could be no Neceſſity becauſe there could be no need, for Augmentation of Living: For no Man was bound to keep Hoſpitality

Dr. *Bilſon* the Biſhop of *Wincheſter* here named, was a very Learned and Eminent Man. He died upon the 18th of *June* in the year 1616, and was ſucceeded by Dr. *Montague*.

above

above his Means: Beſides many other parts of his Argument tending to the overthrow of his Majeſty's Prerogative in caſe of *Commendams*.

The Lord of *Wincheſter* having made his *Report*, his Majeſty reſumed his former Narrative, letting the Lords know that after the Lord of *Winton* had made unto his Majeſty a Report of that which paſſed at the Argument of the Cauſe, like in ſubſtance unto that which now had been made; his Majeſty apprehending the Matter to be of ſo high a nature, Commanded his *Attorney General* to ſignifie his Majeſty's pleaſure unto the *Lord Chief Juſtice*; That in regard of his Majeſty's moſt weighty Occaſions, and for that his Majeſty held it neceſſary upon the Lord of *Winton*'s Report, that his Majeſty be firſt conſulted with, before the Judges proceed to argue it; therefore the day appointed for the Judges Argument, ſhould be put off till they might ſpeak with his Majeſty, and this *Letter* of his Majeſty's *Attorney*, was by his Majeſty's Commandment, openly read as followeth, *in hæc verba.*

My Lord,

" IT is the King's expreſs Pleaſure, that becauſe his " Majeſty's time would not ſerve to have Confer- " ence with your *Lordſhip* and his *Judges* touching the " Cauſe of *Commendams*, at his laſt being in Town; " in regard of his Majeſty's other moſt weighty Oc- " caſions; and for that his Majeſty holdeth it neceſſa- " ry, upon the Report which my Lord of *Wincheſter*, " (who was preſent at the laſt Arguments by his Ma- " jeſty's Royal Commandment) made to his Majeſty, " that his Majeſty be firſt conſulted with, e're there " be any further proceedings by Arguments by any of " the *Judges*, or otherwiſe; Therefore that the day " appointed for the further proceedings by Arguments

" of

" of the Judges in that caſe be put off till his Maje-
" ſty's further Pleaſure be known, upon conſulting
" with him. And to that end that your Lordſhip
" forthwith ſignifie his Commandment to the reſt of
" the Judges, whereof your Lordſhip may not fail: And
" ſo I leave your *Lordſhip* to God's Goodneſs.

This *Thurſday* at Afternoon the 25th of *April*, 1616.

Your Loving Friend to Command,

Fr. Bacon.

That upon this Letter received, the *Lord Chief Juſtice* returned word to his Majeſty's ſaid *Attorney* by his Servant: That it was fit the reſt of his Brethren ſhould underſtand his Majeſty's Pleaſure immediately by Letters from his ſaid *Attorney* to the *Judges* of the ſeveral *Benches*, and accordingly it was done: Whereupon all the ſaid Judges aſſembled, and by their Letter under their Hands certified his Majeſty that they held thoſe Letters importing the ſignification aforeſaid to be contrary to Law, and ſuch as they could not yield to the ſame by their Oath; and that thereupon they had proceeded at the day, and did now certifie his Majeſty thereof; which Letter of the Judges his Majeſty alſo commanded to be openly read, the Tenor whereof followeth, *in hæc verba.*

Moſt Dread and moſt Gracious Sovereign,

" IT may pleaſe your moſt Excellent Majeſty to be
" advertiſed, That this Letter here incloſed was
" delivered unto me your *Chief Juſtice* on *Thurſday* laſt
" in the Afternoon, by a Servant of your Majeſty's
" *Attorney General*, and Letters of like effect were on
" the day following ſent from him by his *Servant* to
" us your Majeſty's Juſtices of every of the Courts at
" *Weſt-*

" *Weſtminſter*; We are and ever will be ready with
" all faithful and true hearts, according to our boun-
" den Duties to ſerve and obey your Majeſty, and
" think our ſelves moſt happy to ſpend our Times and
" Abilities to do your Majeſty true and faithful Ser-
" vice in this preſent Caſe mentioned in this Letter;
" What Information hath been made unto you, where-
" upon Mr. *Attorney* doth Ground his Letter from the
" Report of the Biſhop of *Winton* we know not; This
" we know that the true ſubſtance of the Cauſe ſum-
" marily is thus: It conſiſteth principally upon the
" Conſtruction of two *Acts* of *Parliament*, the one of
" the 25th year of King *Edw.* 3. and the other of the
" 25th year of King *Hen.* 8. whereof your Majeſty's
" Judges upon their Oaths, and according to their
" beſt Knowledge and Learning are bound to deliver
" their true Underſtanding, Faithfully and Uprightly;
" and the Caſe between two for private Intereſt and
" Inheritance earneſtly called on for Juſtice and Expe-
" dition. We hold it our duty to inform your Majeſty,
" That our *Oath* is in theſe expreſs words, *That in*
" *Caſe any Letters come unto us contrary to Law, that we*
" *do nothing by ſuch Letters but certifie your Majeſty*
" *thereof, and go forth to do the Law, notwithſtanding*
" *the ſame Letters*; We have adviſedly conſidered of
" the ſaid Letter of *Mr. Attorney*, and with one conſent
" do hold the ſame to be contrary to Law, and ſuch
" as we could not yield to the ſame by our Oath, aſ-
" ſuredly perſwading our ſelves that your Majeſty be-
" ing truly informed, that it ſtandeth not with your
" Royal and Juſt Pleaſure to give way to them. And
" therefore knowing your Majeſty's zeal to Juſtice, to
" be moſt renowned, therefore we have according to
" our Oaths and Duties at the very day prefixed the
" laſt term, proceeded and thereof certified your

" Majeſty, and ſhall ever pray to the *Almighty* for your " Majeſty in all Honour, Health and Happineſs long " to Reign over us.

Serjeants-Inn, 25*th* Apr. 1616.

Edw. Coke, Henry Hobarte, Laur. Tanfield, Pet. Warburton, George Snigge, Ja. Altham, Ed. Bromeley, John Croke, Humphry Winche, John Dodderidge, Auguſtine Niccolls, Robert Houghton.

His Majeſty having Conſidered of this Letter, by his Princely Letters returned Anſwer, reporting himſelf to their own Knowledge and Experience what Princely care he hath ever had, ſince his coming to the Crown, to have Juſtice duly Adminiſtred to his Subjects, with all poſſible Expedition, and how far he was from croſſing or delaying of Juſtice, when the Intereſt of any private Perſon was queſtioned. But on the other ſide expreſſing himſelf, that where the Caſe concerned the High Powers and *Prerogatives* of his *Crown*, he would not endure to have them wounded through the ſides of a private Perſon; admoniſhing them alſo, laſtly, of a Cuſtom lately entertained, of a greater boldneſs to diſpute the high Points of his Majeſty's Prerogative in a Popular and Unlawful liberty of Argument more than in former times: And making them perceive alſo how weak and impertinent the pretence of Allegation of their *Oath* was in a Caſe of this Nature, and how well it might have been ſpared, with many other weighty Points in the ſaid Letter contained: Which Letter alſo by his Majeſty's Appointment and Commandment was publickly read *in hæc verba.*

James

James Rex,

" TRuſty and Welbeloved *Counſellors*, and Truſty " and Welbeloved, we Greet you well. We per- " ceive by your Letter that you conceive the Com- " mandment given you by our *Attorney General* in our " Name to have proceeded upon wrong Information; " But if you liſt to remember what Princely care we " have ever had ſince our coming to this Crown, to " ſee Juſtice duly Adminiſtred to our Subjects, with " all poſſible expedition; and how far we have ever " been from urging the delay thereof in any ſort you " may ſafely perſwade your ſelves that it was no ſmall " reaſon that moved us to ſend you that direction: " You might very well have ſpared your labour " in informing us of the Nature of your Oath; For " although we never ſtudied the *Common Law* of *En-* " *gland*; yet are we not ignorant of any Points which " belong to a King to know; We are therefore to in- " form you hereby, that we are far from croſſing or " delaying any thing which may belong to the Intereſt " of any private party in this Caſe, but we cannot " be contented to ſuffer the *Prerogative Royal* of our " Crown to be wounded through the ſides of a pri- " vate Perſon; We have no care at all which of the " Parties ſhall win his Proceſs in this Caſe, ſo that " right prevail, and that Juſtice be truly Adminiſtred. " But on the other ſide, we have reaſon to foreſee " that nothing be done in this Caſe which may " wound our Prerogative in General; and therefore " ſo that we may be ſure that nothing ſhall be debated " amongſt you which may concern our general pow- " er of giving *Commendams*, we deſire not the Parties " to have one hours delay of Juſtice, but that our Pre- " rogative ſhould not be wounded in that regard for

" all times hereafter upon pretext of private Perſons
" Intereſt, we ſent you that direction ; which we ac-
" count as well to be wounded if it be publickly diſ-
" puted upon, as if any ſentence were given againſt
" it. We are therefore to admoniſh you, That ſince
" the *Prerogative* of our Crown hath been more bold-
" ly dealt withal in *Weſtminſter-Hall*, during the time
" of our Reign, then ever it was before in the Reigns
" of divers Princes immediately preceding us, that
" we will no longer endure that popular and unlaw-
" ful Liberty ; and therefore we were juſtly moved to
" ſend you that direction to forbear to meddle in a
" Cauſe of ſo tender a nature, till we had further
" thought upon it. We have cauſe indeed to rejoice
" of your zeal for your ſpeedy Execution of Juſtice :
" But we would be glad that all our Subjects might
" ſo find the Fruits thereof, as that no *Pleas* before
" you were of older date than this is. But as to your
" Argument, which you found upon your *Oath*, you
" give our Predeceſſors who firſt founded the Oath, a
" very charitable meaning, in perverting their inten-
" tion and zeal to Juſtice, to make a Weapon of it, to
" uſe againſt their Succeſſors: For although your Oath
" be, that you ſhall not delay Juſtice between any pri-
" vate Perſons or Parties,yet was it not meant that the
" King ſhould thereby receive harm, before he be
" forewarned thereof: Neither can you deny but that
" every Term, you will out of your own Diſcretions,
" for Reaſons known unto you, put off either the
" hearing or determining of any Ordinary Cauſe be-
" betwixt private Perſons till the next Term follow-
" ing. Our Pleaſure therefore is, who are the Head
" and Fountain of Juſtice under God in our Domini-
" ons, and we out of our abſolute Power and Autho-
" rity Royal do Command you, that you forbear to

" meddle

" meddle any further in this *Plea* till our coming to
" Town, and that out of our own Mouth you hear
" our Pleaſure in this Buſineſs; which we do out of
" the care we have, that our *Prerogative* may not re-
" ceive an unwitting and indirect blow; and not to
" hinder Juſtice to be adminiſtred to any private Par-
" ties, which no Importunities ſhall perſwade us to
" move you in. Like as only for the avoiding of your
" unreaſonable Importunity of Suitors in their own
" particular, that Oath was by our Predeceſſors Or-
" dained to be miniſtred unto you, ſo we wiſh you
" heartily well to fare.

Poſtſcript.

You ſhall upon the Receipt of this Letter call our *Attorney General* unto you, who will inform you of the particular Points which we are unwilling to be diſputed of in this Caſe.

This Letter being read, his Majeſty reſolved to take into his Conſideration the parts of the *Judges* Letter and other their Proceedings in that Cauſe, and the Errors therein contained and committed; which Errors his Majeſty did ſet forth to be both in *Matter* and *Manner*; In *Matter*, as well by way of Omiſſion as Commiſſion; for *Omiſſion* that it was a Fault in the Judges, that when they heard a *Counſellor* at the *Barr* preſume to Argue againſt his Majeſty's Prerogative, which in this Caſe, was in Effect his Supremacy, they did not interrupt and reprove ſharply that baſe and bold Courſe of Defaming or Impeaching things of ſo high a Nature by Diſcourſe; eſpecially ſince his Majeſty hath obſerved, that ever ſince his Coming to the Crown, the *popular* Sort of *Lawyers* have been the Men, that moſt

moſt affrontedly in all *Parliaments* have trodden upon his Prerogative, which being moſt contrary to their Vocation of any Men, ſince the Law nor Lawyers can never be reſpected, if the King be not reverenced. It doth therefore beſt become the Judges of any, to check and bridle ſuch impudent Lawyers, and in their ſeveral Benches to diſgrace them that bear ſo little Reſpect to their King's Authority and Prerogative: That his Majeſty had a *double Prerogative*, whereof the one was *Ordinary*, and had Relation to his private Intereſt, which might be, and was every day diſputed in *Weſtminſter Hall*; The other was of an higher Nature, referring to his *Supreme* and *Imperial Power* and Sovereignty which ought not to be diſputed or handled in vulgar Argument: But that of late the *Courts* of the *Common Law* are grown ſo vaſt, and tranſcendent as they did both meddle with the King's Prerogative, and had incroached upon all other Courts of Juſtice; as the *High Commiſſion*, the *Councils* eſtabliſhed in *Wales*, and at *York*, the Court of *Requeſts*.

Concerning that which might be termed *Commiſſion*, his Majeſty took Exception at the Judges Letter both in Matter and Form; for Matter, his Majeſty plainly demonſtrated, That whereas it was contained in the Judges Letter, That the Signification of his Majeſty's Letter as aforeſaid, was contrary to Law; and not agreeable to the Oath of a Judge, That could not be: *Firſt*, for that the putting off any Hearing or Proceeding upon any juſt or neceſſary Cauſe, is no denying or delaying of Juſtice, but Wiſdom and Maturity of Proceeding: And that there cannot be a more juſt and neceſſary Cauſe of Stay, than the Conſulting with the King, where the Cauſe concerns the Crown: And that the Judges did daily put off Cauſes upon lighter Occaſions; And likewiſe his Majeſty did deſire to know

know of the Judges, how his Calling them to Conſult with him was contrary to Law, which they could never Anſwer unto.

Secondly, That it was no bare Suppoſition or Surmiſe, that this Cauſe concerned the King's *Prerogative*; for that it had been directly and plainly diſputed at the *Barr*; and the very diſputing thereof in a publick Audience, is both dangerous and diſhonourable to his Majeſty.

Thirdly, That the manner of the putting off that which the King required, was not infinite nor long time, but grounded upon his Majeſty's weighty Occaſions, which were notorious; by Reaſon whereof he could not ſpeak with the Judges before the Argument; And that there was a certain Expectation of his Majeſty's Return at *Whitſontide*. And likewiſe that the Cauſe had been ſo lately handled and argued, and would not receive Judgment by the *Eaſter* Term next, as the Judges themſelves afterwards confeſſed.

And afterwards, becauſe there was another juſt Cauſe of Abſence for the two *Chief Juſtices*, for that they ought to have aſſiſted the *Lord Chancellor* the ſame Day in a great Cauſe of the King's, followed by the *Lord Hunsdon* againſt the Lord *William Howard* in *Chancery*; which Cauſe of the King's, eſpecially being ſo worthy, ought to have had Precedency before any Cauſe betwixt Party and Party. Alſo where it was contained in the Judges Letter that the Cauſe of *Commendams*, was but a Cauſe of private Intereſt between Party and Party; his Majeſty ſhewed plainly the contrary; not only by the Argument of *Serjeant Chiborne*, which was before his Commandment, but by the Argument of the Judges themſelves, namely Juſtice *Nic-*

cols

cols which was after, but especially since one of the Parties is a *Bishop* who pleaded for the *Commendams* by the Virtue of his Majesty's Prerogative.

Also whereas it was contained in the Judges Letter, that the Parties called upon them earnestly for Justice, his Majesty conceived it to be but Pretence; Urging them to prove that there was any Solicitation by the Parties for Expedition, otherwise then in an ordinary Course of Attendance; which they could not prove.

As for the Form of the Letter, his Majesty Noted, that it was a new Thing, and very undecent and unfit for Subjects to disobey the King's Commandment, but most of all to proceed in the mean time, and to return to him a bare Certificate; whereas they ought to have concluded with the laying down and representing of their Reasons modestly to his Majesty, why they should proceed; and so to have submitted the same to his Princely Judgment, expecting to hear from him whether they had given him Satisfaction.

After this his Majesty's *Declaration*, all the *Judges* fell down upon their Knees, and acknowledged their Error for Matter and Form, humbly craving his Majesty's gracious Favour and Pardon for the same.

But for the Matter of the Letter, the *Lord Chief Justice* of the *Kings Bench* entred into a Defence thereof; The Effect whereof was; That the Stay required by his Majesty was a Delay of Justice, and therefore contrary to Law, and the Judges Oath; and that the Judges knew well amongst themselves, that the Case (as they meant to handle it) did not concern his Majesty's Prerogative of granting of *Commendams*. And that if the Day had not held by the not coming of the Judges, the Suit had been discontinued, which had been a failing of Justice, and that they could not adjourn it, because *Mr. Attorney*'s Letter mentioned no

Day

Day certain, and that an Adjournment muſt always be to a Day certain.

Unto which Anſwer of the *Chief Juſtice*, his Majeſty did reply, that for the laſt Conceipt it was meer *Sophiſtry*, for that they might in their Diſcretions have prefixed a convenient Day, ſuch as there might have been time for them to conſult with his Majeſty before, and that his Majeſty left that Point of Form to themſelves.

And for that other Point, that they ſhould take upon them peremptorily to diſcern whether the Plea concerned the King's Prerogative, without conſulting with his Majeſty firſt, and informing his Princely Judgment, was a thing prepoſterous; For that they ought firſt to have made that appear to his Majeſty, and ſo to have given him Aſſurance thereof upon conſulting with him.

And for the *Matter*, that it ſhould be againſt the Law, and againſt their Oath, his Majeſty ſaid he had ſpoken enough before; unto which the Lord *Chief Juſtice* in effect had made no Anſwer, but only inſiſted upon the former Opinion; and therefore the King required the Lord *Chancellor* to deliver his Opinion upon that Point, whether the Stay that had been required by his Majeſty were contrary to Law, or againſt the Judges Oath.

The *Chancellor* ſtood up and moved his Majeſty that becauſe this Queſtion had Relation to Matter of Law, his Majeſty would be informed by his learned Council firſt, and they firſt to deliver their Opinions which his Majeſty commanded them to do.

Whereupon his Majeſty's *Attorney General* gave his Opinion, that the putting off of the day in manner as was required by his Majeſty to his Underſtanding, was without all ſcruple no delay of Juſtice, nor danger of

the Judges Oath; inſiſting upon ſome of the Reaſons which his Majeſty had formerly opened, and adding that the Letter he had formerly written by his Majeſty's Command, was no Imperious Letter; as to ſay his Majeſty for certain cauſes, or for cauſes known to himſelf, would have them put off the day; but fairly and plainly expreſſed the Cauſes unto them, for that the King conceived upon my *Lord* of *Winton's* Report, that the Cauſe concerned him; and that his Majeſty would have willingly ſpoken with them before, but by reaſon of his important Buſineſs could not, and therefore required a ſtay till they might conveniently ſpeak with him, which they knew could not be long. And in concluſion of his Speech wiſhed the *Judges* to conſider ſeriouſly with themſelves, whether they were not in greater danger of Breach of their Oaths by the proceedings than they would have been by their ſtay; For that it is part of their Oath to counſel his Majeſty when they are called; and if they will proceed firſt in a Buſineſs whereupon they are called to Counſel, and will Counſel him when the Matter is paſt, it is more than a ſimple Refuſal to give him Councel; and ſo concluded his Speech, and the reſt of the learned Councel conſented to his Opinion.

Whereupon the Lord *Chief Juſtice* of the *Kings Bench* anſwering nothing to the Matter, took Exception that the King's Councel, Learned ſhould plead or diſpute with the Judges; For he ſaid they were to plead before Judges and not to diſpute with them. Whereunto the King's *Attorney* replyed, that he found that Exception ſtrange, for that the King's Learned Councel, were by Oath and Office, and much more where they had the King's expreſs Commandment, without Fear of any Man's Face, to proceed or declare againſt any the greateſt Peer or Subject of the Kingdom; and not onely

onely any Subject in particular, but any Body of Subjects or Perſons were they Judges, or were they of an Upper or lower Houſe of *Parliament*, in Caſe they exceed the Limits of their Authority, or took any thing from his Majeſty's Royal Power or Prerogative: And ſo concluded, that this Challenge, and that in his Majeſty's Preſence, was a Wrong to their Places, for which he and his Fellows did appeal to his Majeſty for Reparation. And thereupon his Majeſty did affirm, that it was their Duty ſo to do, and that he would maintain them therein, and took Occaſion afterward again to ſpeak of it, for when the Lord *Chief Juſtice* ſaid he would not diſpute with his Majeſty, the *King* replyed, That the *Judges* would not diſpute with him, nor his Learned Council might not diſpute with them; ſo whether they did well or ill, it muſt not be diſputed.

After this the Lord *Chancellor* declared his Mind plainly and clearly, that the Stay that had been by his Majeſty required, was not againſt the Law, nor a Breach of the Judges Oath, and required that the Judges Oath it ſelf, might be read out of the Statute, which was done by the King's *Solicitor*, and all the Words thereof weighed and conſidered.

Thereupon his *Majeſty* and the *Lords* thought good, to ask the *Judges* ſeverally their Opinions; the Queſtion being put in this Manner: *Whether if at any time, in a Caſe depending before the* Judges *his* Majeſty *conceived it to concern him either in Power or Profit, and thereupon required to conſult with them and that they ſhould ſtay Proceedings in the mean time; they ought not to ſtay accordingly:* They all (the *Lord Chief Juſtice* onely excepted) yielded that they would, and acknowledged it to be their Duties ſo to do: Onely the Lord *Chief Juſtice* of the *Kings Bench* ſaid for Anſwer, That when the Caſe ſhould be, he would do that which ſhould be fit

for a Judge to do. And the Lord *Chief Juſtice* of the *Common-Pleas* who had aſſented with the reſt, added that he would ever truſt the Juſtice of his Majeſty's Commandment. After this was put to a point, his Majeſty thought fit, in reſpect of the further Day of Argument, appointed the *Saturday* following for the *Commendams*, to know from his Judges what he might expect from them concerning the ſame. Whereupon the Lord of *Canterbury* breaking the Caſe into ſome Queſtions, his Majeſty did require his Judges to deal plainly with him, whether they meant in their Argument to touch the general Power of Granting *Commendams*, yea or no. Whereupon all the ſaid Judges did promiſe and aſſure his Majeſty, that in the Argument of the ſaid Caſe of *Commendams* they would ſpeak nothing, which ſhould weaken or draw into Doubt his Majeſty's Prerogative for Granting of them; but intended particularly to inſiſt upon the Points of *Lapſe*, and other Judicial Points of this Caſe, which they conceived to be of a Form differing from all other *Commendams* which have been practiſed.

The Judges alſo went further, and did promiſe his Majeſty that they would not onely abſtain from ſpeaking any thing to weaken his Majeſty's Prerogative of *Commendams*, but would directly and in plain Terms affirm the ſame, and correct the erroneous and bold Speeches which had been uſed at the *Barr* in derogation thereof.

Alſo the Judges did in general acknowledge and profeſs with great forwardneſs, that it was their Duty, if any *Counſellor* at the *Law*, preſumed at any time to call in Queſtion his Majeſty's high *Prerogative*, that they ought to reprehend them, and ſilence them, and all promiſed ſo to do hereafter.

Laſtly,

Laſtly, the two Judges that were then next to argue, Mr. Juſtice *Dodderidge* and Mr. Juſtice *Winche*, opened themſelves unto his Majeſty thus far; That they would inſiſt chiefly upon the *Lapſe*, and ſome Points of Uncertainty, Repugnancy, and Abſurdity; being peculiar to this *Commendam*; and that they would ſhew their Diſlike of that which had been ſaid at the Barr, for the weakening of the General Power; and Mr. Juſtice *Dodderidge* ſaid he would conclude for the King, that the Church was void and in his Majeſty's Gift; he alſo ſaid that the King might give a *Commendam* to a Biſhop either before or after his Conſecration, and that he might give it him during his Life, or for a certain Number of Years.

The Judges having thus far ſubmitted and declared themſelves, his Majeſty commanded them to keep the Bounds and Limits of their ſeveral Courts, not to ſuffer his Prerogative to be wounded by raſh and unadviſed Pleading before them, or by new Invention of Law: For as he well knew the true and antient *Common Law* is the moſt favourable for Kings of any Law in the World; ſo he adviſed them to apply their Studies to that antient and beſt Law, and not to extend the Power of any other of their Courts beyond their due Limits; following the *Preſidents* of the beſt antient Judges in the times of the beſt Government; and that then they might aſſure themſelves that he for his part in his Protection of them, and expediting of Juſtice, would walk in the Steps of Antient and beſt Kings. Whereupon he gave them Leave to proceed in their Argument.

When the *Judges* were removed, his Majeſty that had forborn to ask the Voices and Opinions of his *Council* before the Judges, becauſe he would not prejudicate the Freedome of the Judges Opinion, concerning

ing whether the Stay of Proceedings that had been by his Majeſty required, could by any Conſtruction be thought to be within the Compaſs of the Judges Oath (which they had heard read unto them) did then put the Queſtion to his Council; who all with one Conſent did give Opinion, that it was far from any Colour or Shadow of ſuch Interpretation, and that it was againſt *common Senſe* to think the contrary, eſpecially ſince there is no mention made in their *Oath* of *Delay* of *Juſtice*, but only that they ſhould not *deny Juſtice*, nor be moved by any of the King's Letters, to do any thing contrary to Law or Juſtice.

G. Cant.
Th. Suffolk.
Pembroke.
Lenox.
John Digby.
Tho. Lake.
Jul. Cæſar.
Tho. Ellesmere Canc.
E. Worceſter.
Nottingham.
W. Knollys.
Ralph Winwoode.
Fulke Greville.
Fra. Bacon.

LXXVII.

To Sir George Villiers.

SIR,

I do think you may do your Self Honour, and, that which is more, do a good Work; if you will aſſiſt, and perfect a Motion begun, (and that upon a good Ground, both of Submiſſion and Conformity,) for

for the reſtoring, of *Doctor Burges*, to preach; (*a*) And I wiſh, likewiſe, that if *Grayes Inne* ſhould think good, (after he is free from the State,) to chuſe him, for their Preacher, his Majeſty ſhould not be againſt it: For certainly, we ſhould watch him well, if he ſhould fly forth; ſo as he cannot be placed, in a more ſafe *Auditory*. This may ſeem a Trifle, but I do aſſure you, I do ſcarce know a particular, wherein you may open more honeſt Mouths, to ſpeak Honor of you, than this. And I do extremely deſire, there may be a full Cry, from all ſorts of People, (eſpecially the beſt,) to ſpeak, and to trumpet out your Commendations. I pray you take it to heart, and do ſomewhat in it. I reſt,

June 12. 1616.

Your devoted and bounden Servant,

Fr. Bacon.

(*a*) I preſume Mr. *Attorney* did not ſucceed in his Deſires, but that not long after Doctor *Burgeſſe* was preſented to the Parſonage of *Sutton-Colfield* in *Warwickſhire*. In 1620. he attended Sir *Horace Vere*, into the *Palatinate*, when that noble General conducted thither a gallant Regiment the largeſt for Number, and greateſt for Quality, (being much compoſed of Gentlemen) that had been ſeen.

LXXVIII.

From the Original.

To Sir George Villiers.

SIR

THere is a Particular wherein I think you may do your ſelf Honor, which as I am informed hath been

been laboured by my *Lady* of *Bedford* (*a*) and put in good way by the *Biſhop* of *Bathe* and *Wells* (*b*) concerning the reſtoring to preach of a famous Preacher, one Doctor *Burgeſſe*, who though he hath been ſilenced a great time, yet he hath now made ſuch a Submiſſion touching his *Conformity*, as giveth Satisfaction. It is much deſired alſo by *Grays Inne* (if he ſhall be free from the State,) to chuſe him for their Preacher: And certainly it is ſafer to place him there, than in another *Auditory*, becauſe he will be well watched, if he ſhould any ways fly forth in his Sermons beyond Duty. This may ſeem a Trifle; but I do aſſure you, in opening this Man's Mouth to preach; you ſhall open very many Mouths to ſpeak Honor of you; and I confeſs I would have a full *Cry* of *Puritans*, of *Papiſts*, of all the *World* to ſpeak well of you; And beſides I am perſwaded, (which is above all earthly Glory) you ſhall

(*a*) Having occaſionally mention'd two or three *Ladies*, eminent for their Wit and Beauty; I could not in good Manners paſs over in Silence my *Lady* of *Bedford*; ſo much celebrated for both, by that rare Wit of his Time Doctor *Donne*; and by that of our own Time Sir *William Temple*, for the admirable Diſpoſition of her Garden at *Moor-Park*. She was Siſter and Coheir to the laſt Lord *Harrington* of *Exton*; who dying in the entrance of the Year 1614. and the 22th of his Age, revived in the Nation, the Senſe it had of the Loſs of Prince *Henry*, as being a young Nobleman of great Hopes and Piety. This Lady diſpoſed of much of the Eſtate ſhe had from her Brother; ſelling *Burley* upon the *Hill* in the County of *Rutland*, to the then Marquis of *Buckingham*, where he afterwards adorned the Seat with noble Structnres, which were deſtroy'd in the Time of our Civil Wars. But this Place is now recovering its ancient Splendor at the expenſe and by the direction, of its preſent Lord the Earl of *Nottingham*.

(*b*) This Biſhop was 5th Son to Sir *Edward Montague*, and Brother to *Edward* the firſt Lord *Montague* of *Boughton*, a Prelate of great Learning and Eloquence, and very Munificent; and by ſome called King *James*'s Eccleſiaſtical Favourite. In 1616. he was tranſlated to *Wincheſter*, and dying in two years time, he was buried in the Body of the Cathedral Church of *Bathe*, which with great Coſt and Care he had preſerved from the Ruines, which Time and Neglect were bringing upon it.

do

do God good Service in it. I pray deal with his Majeſty in it. I reſt

June 13. 1616. *Your devoted and bounden Servant.*

Fra. Bacon.

LXXIX.

From the Original. (*a*)

To *Sir George Villiers.*

SIR,

BEcauſe I am uncertain whether his Majeſty will put to a Point, ſome Reſolutions touching *Ireland*, now at *Windſor*; I thought it my Duty to attend his Majeſty by my Letter, (and thereby to ſupply my Abſence) for the renewing of ſome former Commiſſions for *Ireland*, and the framing of a new Commiſſion for the *Wards* and the *Alienations*, which appertain properly to me as his Majeſty's *Attorney*, and have been accordingly referred by my *Lords*. I will undertake that they are prepared with a greater Care, and better Application to his Majeſty's Service in that Kingdom, then heretofore they have been; and therefore of that I ſay no more. And for the Inſtructions of the new *Deputy*, they have been ſet down by the two *Secretaries*; and being things of an ordinary Nature, I do not ſee but they may paſs.

But there have been three *Propoſitions* and Councils, which ſeem to me of very great Importance: Wherein I think my ſelf bound to deliver to his Majeſty my Advice and Opinion, if they ſhould now come in Queſtion.

(*a*) This Letter is printed in the *Reſuſcitatio* and *Cabala*, but is here corrected in ſome places by the Original.

The *Firſt* is, touching the *Recuſant Magiſtrates* of the Towns of *Ireland*, and the *Communalty*'s themſelves their Electors; what ſhall be done. Which Conſultation ariſeth from the late Advertiſements from the two Lords *Juſtices*, upon the Inſtance of the two Towns, *Limerick* and *Kilkenny*; in which Advertiſement they repreſent the Danger onely, without giving any Light for the Remedy; rather warily for themſelves, than agreeably to their Duties, and Place.

In this Point, I humbly pray his *Majeſty*, to remember, that the Refuſal is not, of the *Oath of Allegiance*, (which is not enacted in *Ireland*;) but of the *Oath* of *Supremacy*, which cutteth deeper into Matter of Conſcience. Alſo, that his Majeſty will, out of the depth of his Excellent Wiſdom, and Providence, think, and as it were, calculate with himſelf; Whether *Time*, will make more, for the Cauſe of Religion, in *Ireland*, and be ſtill more, and more, propitious; Or whether deferring Remedies, will not make the Caſe more difficult. For if Time, give his Majeſty Advantage, what needeth Precipitation, to extreme Remedies? But if Time will make the Caſe more deſperate, then his *Majeſty* cannot begin too ſoon. Now in my Opinion, Time will open, and facilitate Things, for Reformation of Religion there; And not ſhut up, or block the ſame. For firſt, the *Plantations* going on, and being, principally, of *Proteſtants*, cannot but mate the other Party in Time: Alſo, his Majeſty's Care, in placing good *Biſhops*, and Divines; In amplifying the *College* there; And in looking, to the Education of *Wards*, and the like; As they are, the moſt Natural Means, ſo are they like, to be the moſt effectual, and happy, for the Weeding out of *Popery*, without uſing the Temporal Sword; So that, I think, I may truly conclude, that the *Ripeneſs* of *Time*, is not yet come. There-

Therefore my Advice, in all Humbleneſs is, that this hazardous Courſe, of Proceeding, to tender the *Oath*, to the *Magiſtrates* of Towns, proceed not, but dye by degrees. And yet, to preſerve the Authority, and Reputation of the former Council, I would have ſomewhat done; which is, that there be a Proceeding, to Seizure of *Liberties*; But not by any Act of Power, but by *Quo Warranto*, or *Scire facias*; which is a Legal Courſe; And will be the Work of three, or four, Terms; By which time, the Matter will ſomewhat cool.

But I would not (in no Caſe,) that the Proceeding ſhould be with both the Towns, which ſtand now in Contempt, but with one of them onely; chooſing that, which ſhall be thought moſt fit. For if his Majeſty, proceed with both, then all the Towns, that are in the like Caſe, will think it a common Cauſe; And that it is, but their Caſe to day, and their own to morrow. But if his Majeſty proceed but with one, the Apprehenſion and Terror, will not be ſo ſtrong; For they will think, it may be their Caſe, as well to be ſpared, as proſecuted; And this is the beſt Advice, that I can give to his Majeſty, in this Streight; And of this Opinion, ſeemed my *Lord Chancellor*, to be.

The *Second Propoſition* is this: It may be, his Majeſty will be moved, to reduce the Number, of his *Council* of *Ireland*, which is now almoſt Fifty, to Twenty, or the like Number; In reſpect, the Greatneſs of the Number, doth both embaſe the Authority, of the *Council*, and divulge the Buſineſs. Nevertheleſs, I do hold this *Propoſition*, to be rather ſpecious, and ſolemn, than needful at this time; For certainly, it will fill the *State*, full of Diſcontentment; which, in a Growing and unſetled Eſtate, ought not to be.

This I could wiſh, that his Majeſty would appoint a ſelect Number of *Counſellors* there, which might deal in the Improvement, of his *Revenue*; (Being a Thing not fit to paſs through too many Hands;) And that the ſaid ſelected Number, ſhould have Days of Sitting, by themſelves; At which, the reſt of the *Council*, ſhould not be preſent; Which being once ſetled, then other principal Buſineſs of *State*, may be handled at thoſe Sittings; and ſo the reſt begin to be diſuſed, and yet retain their Countenance, without Murmur or Diſgrace.

The *Third Propoſition*, as it is wound up, ſeemeth to be pretty, if it can keep promiſe: For it is this, That a Means may be found, to re-enforce his Majeſty's Army there by 500, or a 1000 Men; And that, without any Penny Encreaſe of Charge. And the Means ſhould be; that there ſhould be a Commandement of a Local Removing, and transferring ſome Companies, from one Province, to another: whereupon it is ſuppoſed, that many, that are planted, in Houſe, and Lands, will rather leeſe their Entertainment, than remove: And thereby, new Men may have their Pay, and yet the old, be mingled in the Country, for the Strength thereof.

In this *Propoſition*, two things may be feared: The one, Diſcontent of thoſe, that ſhall be put off: The other, that the Companies ſhall be ſtuffed with *Tyrones*, inſtead of *Veterani*. I wiſh therefore, that this *Propoſition*, be well debated, ere it be admitted. Thus, having performed that, which Duty binds me to; I commend you, to God's beſt preſervation.

Gorhambury,
July 5. 1616.

Your moſt devoted, and bounden Servant,

Fra. Bacon.

LXXX.

LXXX.

To Sir George Villiers.

SIR,

I ſend you the *Bill* for his Majeſty's Signature, reformed according to his Majeſty's Amendments, both in the two places, (which, I aſſure you, were both altered with great Judgement;) And in the Third place, which his Majeſty termed a Queſtion onely. But he is an idle Body, that thinks his Majeſty, asks an idle *Queſtion*; And therefore, his Majeſty's Queſtions, are to be anſwered, by Taking away the Cauſe of the *Queſtion*, and not by Replying,

For the Name, his Majeſty's Will is a Law in thoſe things; And to ſpeak Truth, it is a well-ſounding, and Noble Name, both here, and abroad: And being your proper *Name*, I will take it, for a good Sign, that you ſhall give Honour, to your Dignity, and not your Dignity to you. Therefore I have made it *Viſcount Villiers*: And for your *Baronry*, I will keep it for an *Earldom*: For though the other, had been more orderly, yet that is as uſual, and both alike good in Law.

For *Roper*'s place, I would have it by all means, diſpatched. And therefore, I marvail, it lingreth. It were no good manners, to take the Buſineſs, out of my Lord *Treaſurer*'s hands; And therefore, I purpoſe to write to his Lordſhip, if I hear not from him firſt, by Mr. *Deccomb.* But if I hear of any Delay, you will give me leave, (eſpecially ſince the King named me,) to deal with Sir *John Roper*, my Self; For neither I, nor my *Lord Treaſurer*, can deſerve any great thanks of you, in this Buſineſs, conſidering the King hath

hath ſpoken to Sir *John Roper*, and he hath promiſed; And beſides, the thing it ſelf, is ſo reaſonable, as it ought, to be as ſoon done, as ſaid. I am now gotten, into the Countrey, to my Houſe, where I have ſome little Liberty, to think of that, I would think of, and not of that, which other Men Hourly break my Head withall, as it was at *London*. Upon this, you may conclude, that moſt of my Thoughts, are of his *Majeſty*; And then, you cannot be far off. God ever keep you, and proſper you. I reſt alwayes,

Aug. 5. 1616. *Your true and moſt devoted Servant,*

Fr. Bacon.

LXXXI.

To Sir George Villiers.

SIR,

I have ſent you now, your Patent of Creation of *Lord Blechley*, of *Blechley*, and of *Viſcount Villiers*. *Blechley* is your own; And I liked, the ſound of the Name; better than *Whaddon*: But the Name, will be hid, for you will be called *Viſcount Villiers*. I have put them both in a *Patent*, after the manner of the Patent of Arms, where *Baronries* are joyned. But the chief Reaſon was, becauſe I would avoid double Prefaces; which had not been fit: Nevertheleſs the Ceremony of Robing, and otherwiſe, muſt be double: And now, becauſe I am in the Country, I will ſend you, ſome of my *Country Fruits*, which, with me, are good *Meditations*; which, when I am in the *City*, are choked with Buſineſs.

After

After that the *King*, ſhall have watred, your new *Dignities*, with his Bounty, of the Lands, which he intends you; And that, ſome other things, concerning your means, which are now likewiſe in Intention, ſhall be ſetled upon you; I do not ſee, but you may think, your private Fortunes eſtabliſhed: And therefore, it is now time, that you ſhould refer your Actions, chiefly, to the Good, of your *Sovereign*, and your *Country*. It is the life, of an Oxe, or a Beaſt, always to eat, and never to exerciſe; But Men are born, (eſpecially Chriſtian Men,) not to cramm in their Fortunes, but to exerciſe their Vertues; And yet, the other, have been the unworthy, and, ſometimes, the unlucky humour, of great Perſons, in our Times; Neither will your further Fortune, be the further off. For aſſure your ſelf, that *Fortune* is of a womans Nature, that will ſooner follow you by ſlighting, than by too much Wooing: And in this Dedication, of your ſelf to the Publick, I recommend unto you, principally, that which I think, was never done, ſince I was born; And which not done, hath bred, almoſt, a Wilderneſs, and Solitude, in the *King*'s Service: which is, that you countenance, and encourage, and advance, able, and vertuous Men, in all Kinds, Degrees, and Profeſſions. For in the time of ſome *late* great *Counſellours*, when they bare the Sway, able Men, were by deſign, and of purpoſe, ſuppreſſed: And though, now ſince, Choice goeth better, both in *Church* and *Commonwealth*; yet Money, and Turn-ſerving, and Cunning Canviſes, and Importunity, prevail too much. And in places of moment, rather make *Able*, and *Honeſt* Men, *yours*, than advance thoſe, that are otherwiſe, becauſe they are *yours*: As for Cunning, and Corrupt Men, you muſt, I know, ſometimes uſe them, but keep them at a diſtance; And let it appear, that you make uſe of them,

them, rather than that they lead you. *Above all*, depend wholly, (next to *God*,) upon the *King*; And be ruled, (as hitherto you have been,) by his Inſtructions; For that's beſt for your Self. For the *King*'s Care, and Thoughts, concerning you, are according to the Thoughts, of a *great King*; whereas your Thoughts, concerning your Self, are, and ought to be, according to the Thoughts of a *Modeſt Man*. But let me not weary you: The Summ is, that you think *Goodneſs*, the beſt part of *Greatneſs*; And that you remember, whence your Riſing comes, and make return accordingly. *God* ever keep you.

Aug. 12. 1616.

Your true and moſt Devoted Servant,

Fr. Bacon.

The greateſt Truſt between man and man, is the Truſt of *giving Counſel*, ſays Sir *Francis Bacon* in his *Eſſay* of *Counſel*, and in one of the following Letters. And which part ſurely no man could have diſcharged with greater Fidelity and Ability, then he did, in that Excellent Diſcourſe contained in the *Cabala* p. 37, and preſented to Sir *George Villiers* ſoon after he had been received into the King's Favour, and whereof this *Letter* is a ſort of Abridgement. But therein Sir *Francis* doth deſcend into ſo particular a Conſideration, how this new Favorite ought to govern himſelf in relation to all Degrees of Men; of the Good he might do, and the Evils he might prevent; that whoſoever in his Circumſtances ſhall obſerve and practiſe thoſe Rules, muſt have very hard luck, if he doth not become as gracious in the Eyes of the People, as of the Prince.

LXXXII.

To the KING.

It may pleaſe your moſt Excellent Majeſty,

I Have ſent, Sir *George Villiers Patent*, drawn again, containing alſo a *Baronry*; The Name *Blechley*, which

which is his own; And to my Thinking, ſoundeth better than *Whaddon*. I have included both in one Patent, to avoid a double Preface, and as hath been uſed in the Patents of Earls, of like nature. Nevertheleſs, the Ceremony of Robing, and otherwiſe is to be double, as is alſo uſed in like caſe of Earls.

It reſteth, that I expreſs unto your Majeſty, my great Joy, in your Honouring and Advancing this *Gentleman:* whom to deſcribe, not with Colours but with true Lines, I may ſay this; Your Majeſty, certainly hath found out, and choſen a ſafe Nature, a capable Man, an honeſt Will, Generous and Noble Affections, and a Courage well lodged; And one that, I know, loveth your Majeſty unfeignedly; And admireth you as much, as is in a Man, to admire his Sovereign, upon Earth. Onely, your Majeſty's *School*, (wherein he hath already ſo well profited, as in this Entrance upon the Stage, being the Time of greateſt Danger, he hath not committed any manifeſt Errour;) will add Perfection, to your Majeſty's comfort, and the great Contentment of your *People*. *God* ever preſerve, and proſper your Majeſty. I reſt in all Humbleneſs,

Aug. 12. 1616. *Your Majeſty's, moſt bounden and moſt devoted, Subject, and Servant,*

Fr. Bacon.

LXXXIII.

To Sir George Villiers.

SIR,

I Took much Contentment, in that, I perceive by your Letter, that you took in ſo good part, the

Freedom of my Advice; And that your Self in your own Nature, conſented therewith. Certainly, *no Service is comparable, to good Counſel*; And the Reaſon is, becauſe no Man, can do ſo much, for another, as a Man, may do for himſelf: Now good Counſel helpeth a Man, to help himſelf. But you have ſo happy a *Maſter*, as ſupplyeth all. My Service, and good will, ſhall not be wanting,

It was graciouſly and kindly done alſo, of his *Majeſty* towards me, to tell you, that you were beholding to me. But it muſt be then, for Thinking of you as I do; For otherwiſe, for Speaking as I think, it is but the part of an honeſt Man. I ſend you your *Patent*, whereof *God* give you Joy: And I ſend you here incloſed, a little Note of Remembrance, for that part of the *Ceremony*, which concerneth the *Patent*: For as for other *Ceremonies* I leave to others.

My *Lord Chancellor*, diſpatcht your *Patent*, preſently upon the Receit; And writ to me, how glad he was of it, and how well he wiſhed you. If you writ to him, a few words of Thanks, I think, you ſhall do well. *God* keep you and proſper you. I ever reſt,

Auguſt 20. 1616. *Your true, and moſt devoted, Servant.*

Fr. Bacon.

LXXXIV.

To Sir George Villiers.

SIR,

I am more and more bound, unto his *Majeſty*, who, I think, knowing me to have other Ends, than Ambition,

bition, is contented to make me Judge of mine own Deſires. I am now beating my Brains, (among many Cares, of his Majeſty's Buſineſs,) touching the Redeeming the Time, in this Buſineſs of *Cloth*. The great Queſtion is; How to miſs, or how to mate the *Flemmings*; How to paſs by them, or how to paſs over them.

In my next Letter, I ſhall alter your Stile; but I ſhall never whilſt I breath, alter mine own Stile; In being

Aug. 22. 1616. *Your true, and moſt devoted, Servant,*

Fr. Bacon.

LXXXV.

From the Original.

To the KING..

It may pleaſe your moſt Excellent Majeſty,

FIrſt from the bottom of my heart, I thank the God of all Mercy and Salvation, that he hath preſerved you from receiving any Hurt by your Fall; And I pray his divine Majeſty ever to preſerve you on Horſeback and on Foot, from Hurt, and fear of Hurt.

Now touching the *Clothing* buſineſſe; For that I perceive the Cloth goeth not off as it ſhould, and that *Wiltſhire* is now come in with Complaint as well as *Glouceſterſhire* and *Worceſterſhire*, ſo that this Gangreen creepeth on; I humbly pray your Majeſty to take into your Majeſty's Princely Conſideration a Remedy for

the preſent ſtand, which certainly will do the Deed; and for any thing that I know will be Honorable and Convenient, though joyned with ſome loſſe in your Majeſty's Cuſtomes, which I knowe in a buſineſſe of this quality, and being but for an *Interim*, til you may negotiate, your Majeſty doth not eſteem. And it is this.

That your Majeſty by your Proclamation, do forbid (after fourteen dayes, giving that time for ſuting mens ſelves) the wearing of any ſtuffe made wholly of Silk, without mixture of Wool, for the ſpace of ſix months. So your Majeſty ſhall ſupply outward vent, with inward uſe, ſpecially for the finer Cloths, which are thoſe wherein the ſtand principally is, and which ſilk Wearers are likeſt to buy; And you ſhall ſhew a moſt Princely Care over thouſands of the poor people; And beſides your Majeſty ſhall blowe a Horne, to let the *Flemings* know your Majeſty will not give over the Chace. Again, the Winter ſeaſon coming on is fitteſt for wearing of Cloth, and there is Scope enough left for bravery and vanity by lacing and embroydery, ſo it be upon Cloth or Stuffes of Wool.

I thought it my Duty to offer and ſubmit this remedy, amongſt others, to your Majeſty's great Wiſdom, becauſe it pleas'd you to lay the Care of this buſineſſe upon me, and indeed my Care did fly to it before, as it ſhall always do to any Knots and Difficultyes in your buſineſſe, wherein hitherto, I have been not unfortunate, God ever have you in his moſt pretious Cuſtody.

Sept 13. 1616. *Your Majeſties moſt faythful and moſt bounden Servant.*

Fra. Bacon.

LXXXVI.

LXXXVI.

From the Original.

To the Lord *Viſcount Villers.*

My very good Lord.

IT was my Opinion from the beginning, that this *Company* will never overcome the buſineſſe of the *Cloth*; and that the Impediments are as much or more in the perſons which are *Inſtrumenta animata* then in the dead buſineſſe it ſelfe.

I have therefore ſent unto the King here incloſed my *Reaſons*, which I pray your Lordſhip to ſhew his Majeſty.

The *new Company* and the *old Company* are but the Sons of *Adam* to me, and I take my ſelf to have ſome Credit with both, but it is upon Fear rather with the Old, and upon Love rather with the New, and yet with both upon perſwaſion that I underſtand the buſineſſe.

Nevertheleſſe I walk in *viâ regiâ*, which is not abſolutely acceptable to either. For the new Company would have all their demands granted, and the old Company would have the King's Work given over and deſerted.

My Opinion is, that the old Company be drawn to ſucceed into the Contract, (elſe the King's Honour ſuffereth) and that we all draw in one way to effect that. If *Time, which is the wiſeſt of things*, prove the work impoſſible or inconvenient, which I do not yet believe, I know his Majeſty and the State will not ſuffer them to periſh.

I wiſh what ſhall be done, were done with Reſolution and Speed, and that your Lordſhip (becauſe it is a gracious buſineſſe) had Thankes of it next the King; and that there were ſome *Commiſſion* under his Majeſties Sign Manual, to deal with ſome ſelected Perſons of the Old Company, and to take their Anſwers and Conſent under their hands, and that the procuring the Commiſſion, and the procuring of their Offers to be accepted, were your Lordſhip's Work.

In this Treaty my Lord *Chancellor* muſt by no means be left out, for he will moderate well and aimeth at his Majeſties ends.

Mr. *Solicitor* is not yet returned but I look for him preſently. I reſt

Monday 14th of *October* at 10 of the Clocke.

Your Lordſhip's true and moſt devoted Servant,

Fr. Bacon.

LXXXVII.

From the Original.

Reaſons why the *new Company* is not to be truſted and continued with the Trade of Clothes.

Firſt, The Company Conſiſts of a Number of Young men and Shopkeepers, which not being bred in the Trade, are fearful to medle with any of the Dear and fine Clothes, but only medle with the Courſe Clothes, which is every Mans skill; And beſides having other Trades to live upon, they come in the Sunſhine ſo long as things go well, and aſſoon as they meet with

with any Storme or Cloud, they leave Trade, and goe back to Shop-keeping. Whereas the *old Company* were beaten Traders, and having no other means of living but that Trade, were fain to ride out all Accidents and Difficulties, (which being men of great ability) they were well able to do.

Secondly, Theſe Young men being the Major part, and having a Kind of Dependance upon Alderman *Cockaine*, they Carry things by plurality of voices; And yet thoſe few of the old Company which are amongſt them do drive almoſt Three parts of the Trade; and it is impoſſible things ſhould go well, *where one part gives the vote, and the other doth the work*; ſo that the execution of all things lyes Chiefly upon them that never Conſented, which is meerly *Motus violentus*, and cannot laſt.

Thirdly; The new Company make Continually ſuch new ſpringing demands, as the State can never be ſecure nor truſt to them, neither doth it ſeem that they do much truſt themſelves,

Fourthly, the preſent ſtand of Cloth at *Blackwell-hall* (which is that that preſſeth the State moſt, and is provided for but by a Temporary and weak remedy) is ſuppoſed would be preſently at an end, upon the revivor of the Old; in reſpect that they are able Men and united amongſt themſelves.

Fifthly, in theſe Caſes * *Opinio eſt veritate major*, and the very voice and expectation of revivor of the old Company will Comfort the Clothiers, and encourage them not to lay down their Loomes.

* Opinion is greater than Reality.

Sixthly,

Sixthly, The very *Flemings* themſelves (in regard of the pique they have againſt the new Company) are like to be more pliant and Tractable towards his Majeſties ends and deſires.

Seventhly, conſidering the Buſineſs hath not gone on well; his Majeſty muſt either lay the Fault upon the *matter* it ſelf, or upon the *perſons* that have managed it; wherein the King ſhall beſt acquit his Honor, to lay it where it is indeed; that is, upon the Carriage and Proceedings of the new Company, which have been full of uncertainty and abuſe.

Laſtly, The Subjects of this Kingdom generally have an ill Taſte and Conceipt of the new Company, and therefore the putting of them down, will diſcharge the State of a great deal of Envy.

LXXXVIII.

From the Original.

To the Lord *Viſcount Villiers.*

My very good Lord,

NOW that the King hath receiv'd my Opinion, with the *Judges* Opinion unto whom it was referred, touching the Propoſition for *Innes* in point of Law; It reſteth that it be moulded and carried in that ſort, as it may paſs with beſt Contentment and Conveniency. Wherein I that ever love good Company, as I was joyned with others in the Legal poynt, ſo I deſire not to be alone in the Direction touching the Conveniency. And therefore I ſend your Lord-

ſhip

ſhip a Forme of Warrant for the King's Signature, whereby the framing of the buſineſſe and that which belongeth to it, may be referred to my ſelf with Serjeant *Montague* and Serjeant *Finch*; And though *Montague* ſhould change his place, that alteration hurteth not the buſineſſe, but rather helpeth it. And becauſe the inquiry and ſurvey touching *Innes*, will require much Attendance and Charge, and the making of the Licences, I ſhall think fit (when that Queſtion cōmeth to me) to be † to the Juſtice of *Aſſiſe*, and not to thoſe that follow this buſineſs: Therefore His Majeſty may be pleas'd to conſider what proportion or Dividend ſhall be allotted to Mr. *Mompeſſon*, and thoſe that ſhall follow it at their own charge, which uſeth in like Caſes to be a fifth (*a*) So I ever reſt,

† Here the word (referred) or of the like Nature is omitted.

Nov. 13. 1616. *Your Lordſhips true and moſt devoted Servant,*

Fr. Bacon.

(*a*) I ſuppoſe it was not long after the Judges and Attorney general had given the Opinion above mention'd, but that a *Patent* was granted for Licencing of Common *Innes*; Under Colour whereof Sir *Giles Mompeſſon* levyed ſeveral Summes of Money by way of Fines, as well as by yearly Incomes from them; and Alehouſes alſo by a ſubſequent Patent. Proceeding therein with ſo much rigor; That it was complained of in the Parlement which began in $16\frac{20}{21}$. as one of the great grievances of the Nation; The Patent declared illegal, and recalled by the King's Proclamation; *Mompeſſon* and *Michel* the chief Projectors of this and ſome other Oppreſſions, ſeverely cenſured according to their Demerits: The manner of which may be ſeen in the Journals of that Parlement, and the Hiſtorys of thoſe Times.

LXXXIX.

From the Original.

To the Lord *Viſcount Villiers.*

My very good Lord.

I think his Majeſty was not onely well adviſed, but well inſpired, to give Order for this ſame wicked Childe of *Cayn*, *Bertram*, to be examin'd before he was further proceeded with. And I for my part before I had receiv'd his Majeſty's pleaſure by my Lord *Chamberlayn* went thus far; That I had appointed him to be further examin'd, and alſo had taken Order with with Mr. *Solicitor* that he ſhould be provided to make ſome *Declaration* at his Tryal, in ſome ſolemn Faſhion, and not to let ſuch a ſtrange Murder paſſe as if it had been but a Horſeſtealing.

But upon his Majeſty's pleaſure ſignifyed, I forthwith cauſed the Tryall, to be ſtayed, and examin'd the party according to his Majeſty's Queſtions; and alſo ſent for the principal Counſel in the Cauſe, whereupon Sir *John Tyndal*'s Report was grounded, to diſcern the Juſtice or Iniquity of the ſaid Report as his Majeſty likewiſe Commanded.

I ſend therefore the Caſe of *Bertram* truely ſtated and collected, and the examination taken before my Selfe and Mr. *Solicitor*; whereby it will appear to his Majeſty that Sir *John Tyndal* (as to this Cauſe) is a kind of a *Martyr*: For if ever he made a Juſt *Report* in his life, this was it.

But the Event ſince all this is, that this *Bertram* being, as it ſeemeth, indurate or in deſpair, hath hang-

ed

ed himſelfe in Priſon; of which accident, as I am ſorry, becauſe he is taken from Example, and public Juſtice; ſo yet I would not for any thing, it had been before his Examination. So that there may be otherwiſe ſome Occaſion taken either by ſome Declaration in the *Kings Bench* upon the return of the *Coroners* Enqueſt, or by ſome printed book of the Fact, or by ſome other means (whereof I purpoſe to adviſe with my Lord *Chancelor*) to have both his Majeſty's royal Care, and the truth of the Fact, with the Circumſtances manifeſted and publiſhed. (*a*)

For the taking a *Tye* of my Lord *Chief Juſtice* before he was placed, it was done before your letter came, and on tueſday, *Heath* and *Shute* ſhall be admitted and all perfected.

My Lord *Chancelor* purpoſeth to be at the *Hall* to morrowe, to give my Lord *Chief Juſtice* his Oath, I pray God it hurt him not this cold Weather. God ever proſper you.

Sunday night the 17th of *Novemb.* 1616.

Your true and moſt Devoted Servant,

Fr. Bacon.

(*a*) This *Bertram*, who, according to *Camden* in his *Annals* of King *James* was a grave man above 70 years of age, and of a clear reputation, piſtolled Sir *John Tyndal* a maſter in *Chancery*, on the 12th of *November*, for making a Report againſt him, in a Cauſe where the Sum contended for did not exceed 200 *l.* By his Examination taken the 16th, he confeſſed it to be as foul a Murther as ever was, under the ſenſe of which he hanged himſelf the next day.

XC.

From the Original.

To the Lord *Viſcount Villiers.*

My very good Lord.

I Am glad to find your Lordſhip mindful of your own buſineſs, and if any man put you in mind of it, I do not diſlike that neither; But your Lordſhip may aſſure your ſelf in whatſoever you commit to me, your Lordſhips further Care ſhall be needleſs. For I deſire to take nothing from my *Maſter* and my *Friend*, but *Care*, and therein I am ſo Covetous, as I will leave them as little as may be.

Now therefore things are grown to a Concluſion, touching your *Land* and *Office*, I will give your Lordſhip an account of that which is paſſed; and acquaint your Judgement (which I know to be great and Capable of any thing) with your own buſineſs: that you may diſcern the Difference between doing things ſubſtantially, and between ſhuffling and talking: And firſt for your *Patent*.

Firſt, It was my Counſel and Care that your *book* ſhould be *Fee-Farme*, and not *Fee-Simple*; Whereby the Rent of the Crown in ſucceſſion, is not diminiſhed, and yet the quantity of the Land, which you have upon your value is enlarged: whereby you have both *Honor* and *Profit*.

Secondly, By the help of Sir *Lyonel Cranfield* I advanced the value of *Sherbourn* from 26000 *l.* (which was thought and admitted by my Lord *Treaſurer* and Sir *John Deccomb* as a value of great Favor to your Lord-

Lordſhip,becauſe it was a thouſand pound more, then it was valued at to *Somerſet*) to thirty two thouſand pounds, whereby there was ſix thouſand pounds gotten and yet juſtly.

Thirdly, I adviſed the Courſe of rating *Hartington* at a hundred years Purchaſe and the reſt at thirty five years Purchaſe Fee-Farme, to be ſet down and expreſſed in the Warrant; that it may appear, and remain of Record, that your Lordſhip had no other Rates made to you in Favor, then ſuch as Purchaſers upon Sale, are ſeldom drawn unto; whereby you have *Honor*.

Fourthly, That Leaſe to the *Feofees*, which was kept as a ſecret in the Decke (and was not onely of *Hartington*, but alſo of moſt of the other Particulars in your book,) I cauſed to be throughly looked into and provided for; without which your aſſurance had been nothing worth, And yet I handled it ſo, and made the matter ſo well underſtood, as you were not put to be a *Suitor* to the *Prince*, for his good will in it, as others ignorantly thought you muſt have done.

Fifthly, The *Annexation*, (*a*) (which no body dream't of, and which ſome idle bold Lawyer, would perhaps have ſaid, had been needleſs, and yet is of that weight, that there was never yet any man, that would purchaſe any ſuch Land from the King, except he had a Declaration to diſcharge it;) I was provident to have it diſcharg'd by *Declaration*.

Sixthly, Leſt it ſhould be ſaid, that your Lordſhip was the firſt (except the *Queen* and the *Prince*) that brake the *Annexation*, upon a mere Gift; For that others had it diſcharged onely upon Sale which was for the King's Profit and Neceſſity; I found a Remedy for

(*a*) *The Annexation* by which Lands *&c.* were united or annexed to the Dutchys of *Cornwal* and *Lancaſter*.

that

that alſo; becauſe I have carved it in the Declaration, as that this was not gift to your Lordſhip, but rather a Purchaſe and Exchange, (as indeed it was) for *Sherbourn.*

Seventhly and laſtly, I have taken Order (as much as in me was) that your Lordſhip in theſe things which you have paſſed, be not abuſed, if you part with them; for I have taken Notes in a book of their values and former Offers.

Now for your *Office.*

Firſt, Whereas my Lord *Teynham* at the firſt would have had your Lordſhip have had but one life in it, and he another; and my Lord *Treaſurer*, and the *Solicitor* and *Deccombe* were about to give way to it; I turned utterly that Courſe, telling them that you were to have two Lives in it, as well as *Somerſet* had.

Secondly, I have accordingly in the aſſurance from your *Deputies*, made them acknowledge the *Truſt* and give Security not onely for your Lordſhips time, but after: ſo as you may diſpoſe (if you ſhould dye, which I would be ſorry to live to) the Profits of the Office by your Will or otherwiſe to any of your Friends for their comfort and advancement.

Thirdly, I dealt ſo with *Whitlocke* as well as *Heath* as there was no Difficulty made of the *Surrender.*

Laſtly, I did caſt with my ſelf, That if your Lordſhip's *Deputies*, had come in by Sir *Edward Cooke* who was tyed to *Somerſet*, it would have been ſubject to ſome Clamor from *Somerſet*, and ſome queſtion what was forfeited by *Somerſet*'s Attainder (being but of *Felony*) to the King: But now they coming in from a new *Chief Juſtice*, all is without queſtion or ſcruple.

Thus your Lordſhip may ſee my *love* and *care* towards you, which I think infinitely too little in reſpect

of

of the fulneſs of my Minde; But I thought good to write this, to make you underſtand better the ſtate of your own buſineſſe; doing by you as I do by the King; which is, to do his buſineſſe *ſafely* and with *foreſight*, not onely of to morrowe or next day, but afar off (*b*) and not to come fiddeling with a report to him what is done every day, but to give him up a good Sum in the end.

I purpoſe to ſend your Lordſhip a *Kalendar* fair written of thoſe *Evidence* which concern your Eſtate, for ſo much as I have paſſed my hands; which in truth are not fit to remain with *Solicitors*, no nor with Friends, but in ſome great *Cabinet*, to be made for that purpoſe.

All this while I muſt ſay plainly to your Lordſhip, that you fall ſhort for your preſent *Charge*, except you play the good Husband: For the *Office* of *Teynham* is in *Reverſion*, *Darcye's* Land is in *Reverſion*; all the Land in your bookes is but in *Reverſion*, and yields you no preſent Profit becauſe you pay the *Fee-Farme*. So as you are a ſtrange *Heteroclite* in *Grammar*, for you want the *preſent Tenſe*; many *Verbes* want the præterperfect tenſe and ſome the future tenſe, but none want the preſent tenſe. I will hereafter write to your Lordſhip, what I think of for that Supply; to the end, that you may, as you have begun to your great *Honor*, deſpiſe *Mony*, where it croſſeth Reaſon of *State* or *Vertue*. But I will

(*b*) Certainly the Wiſdom of Foreſight and Prevention, is far above the Wiſdom of Remedy; and yet I fear the following Obſervation Sir *Fra. Bacon* makes in his *Eſſay* of *Empire* concerning the times in or near which he lived, hath been verifyed too much in others. 'This is true, 'that the Wiſdom of all theſe latter times in Princes affairs, is rather Fine 'Deliveries and ſhiftings of Dangers and Miſchiefs when they are near, 'than ſolid or grounded Courſes to keep them aloof. But this is but to 'try Maſterys with Fortune: And let Men beware how they neglect and 'ſuffer matter of trouble to be prepared; For no man can forbid the Stark 'nor tell whence it may come,

trouble

trouble you no further at this time. God ever preſerve and proſper your Lordſhip.

November 29. 1616. *Your true and moſt devoted Servant,*

Fr. Bacon.

XCI.

From the Original.

To the Lord *Viſcount Villiers.*

My very good Lord.

I delivered the *Proclamation* for *Cloth* to Secretary *Winwood* on Saturday, but he keepeth it to carry it down himſelf, and goeth down, as I take it to day: His Majeſty may percieve by the Docket of the Proclamation, that I do not onely ſtudy, but act that point touching the Judges, which his Majeſty commandeth in your laſt.

Yeſterday was a day of great good for his Majeſty's ſervice, and the peace of this Kingdom concerning *Duells* by occaſion of *Darcyes* Caſe. I ſpake big and, publiſhing his Majeſty's ſtreight Charge to me, ſayd it had ſtrook me blind, as in point of *Duells* and *Cartels*, &c. I ſhould not knowe a Coronet from a Hatband. I was bold alſo to declare how excellently his Majeſty had expreſſed to me a Contemplation of his touching Duells; That is, that when he came forth and ſaw himſelf princely attended with goodly Nobleſſe and Gentlemen, he entred into the thought, that none of their lives were in certainty not for twenty four hours from the Duel; For it was but a Heat or a Miſtaking, and

and then a Lye, and then a Challenge, and then life: ſaying, that I did not marvel ſeeing *Xerxes* ſhed teares to think, None of his great Army ſhould be alive once within a 100 years, His Majeſty were touched with Compaſſion to think that not one of his Attendance but mought be dead within 24 hours by the Duell. This I write becauſe his Majeſty may be wary, what he ſayeth to me (in things of this Nature) I being ſo apt to play the Blabbe. In this alſo, I forgot not to prepare the Judges, and wiſh them to profeſſe, and as it were to denounce, That in all Caſes of Duel Capital before them, they will uſe equal Severity towards the *inſolent* Murder by the Duel, and the *inſidious* Murder; and that they will extirpate that Difference out of the Opinions of Men, which they did excellent well.

I muſt alſo ſay, that it was the firſt time, that I heard my *Lord* of *Arundel* ſpeak in that place; and I do aſſure your Lordſhip he doth excellently become the Court; He ſpeaketh *wiſely* and *weightily*, and yet *eaſily* and *clearly* as a great Nobleman ſhould do. (*a*)

There

(*a*) My Lord of *Arundel* deſcended from the Noble Family of the *Howards*; His Grandfather the Duke of *Norfolke* looſing his life upon the account of *Mary* Queen of the *Scots*, and his Father ſuffering ſome years Impriſonment under ſentence of Condemnation; He was reſtored in blood, and to the titles of *Arundel* and *Surry* 1 Jac, made a privy Councellor on the 25. of *July* 1616. and afterwards Earl Marſhal of *England* and General of the Army ſent againſt the *Scots* by K. *Charles* the 1*ſt*. But about the beginning of our Civil Wars he retired into *Italy*, where he had ſpent part of his youth, and returned to the Religion he had then profeſſed dying at *Padua* in 1646. He was a Gentleman of a noble Aſpect and of a noble nature, a great Virtuoſo and Antiquary, who with much care and coſt procured ſeveral valuable Antiquities and Inſcriptions to be brought from *Aſia*, *Greece* and *Italy* into *England*, and placed them in or near his garden at *Arundel* Houſe in the *Strand*; many of which were very generouſly preſented by his grandſon the Duke of *Norfolke* to the Univerſity of *Oxford*, where they are among others of the famous *Selden* fixed unto the Walls encloſing the *Theater*. It were to be wiſhed, that the great number of antient Statues which adorned his Houſe and Gardens, and I fear have ſince been much neglected, had met with as ſafe a Repoſi-

There hath been a Proceeding in the *Kings Bench* againſt *Bertram*'s keeper, for Miſdemeanor, and I have put a little Pamphlet (prettily penn'd by one Mr. *Trotte*, that I ſet on work touching the whole buſineſs) to the Preſſe by my Lord *Chancelors* advice.

I pray God direct his Majeſty in the *Cloth* buſineſs, That that thorne may be once out of our ſides. His Majeſty knoweth my Opinion *ab Antiquo*. Thanks be to God of your Health, and long may you live to do us all Good. I reſt

Your true and moſt devoted Servant.

Fr. Bacon.

tory. The Eloquence which Sir *Fra Bacon* doth here commend in this Lord is much the ſame which in the beginning of his *Advancement* of *Learning* he doth attribute to the *King*, in the words of *Tacitus*, concerning *Auguſtus Cæſar*; *Auguſto profluens, & quæ principem [illegible] deceret, eloquentia fuit.*

XCII.

From the Original.

This Letter was written to the Earl of *Buckingham*, on the ſame day Sir *Francis Bacon* was made Lord *Keeper* of the great *Seal.*

My deareſt Lord,

IT is both in *Cares* and *Kindneß*, that ſmall ones Flote up to the tongue, and great ones ſink down into the Heart in ſilence. Therefore I could ſpeak little to your Lordſhip to day, neither had I fit time. But I muſt profeſſe thus much, that in this days work, you are

are the trueſt and perfect'ſt Mirror, and Example of firm and generous Friendſhip, that ever was in Court. And I ſhall count every day loſt, wherein I ſhall not either ſtudy your Weldoing in *thought*, or do your Name Honor in *Speech*, or perform you Service in *Deed*. Good my *Lord*, account and accept me

March 7. 1616.

Your moſt bounden and devoted Friend and Servant of all men living.

Fr. Bacon. *C. S.*

XCIII.

To the renowned Univerſity of Cambridge, *his dear and reverend Mother.*

I am Debtor to you of your Letters, and of the time likewiſe, that I have taken, to anſwer them. But as ſoon as I could chuſe what to think on, I thought good to let you know; That although, you may err much in your valuation of me, Yet you ſhall not be deceived in your Aſſurance: And for the other part alſo, though the Manner be, to mend the *Picture* by the *life*; Yet I would be glad, to mend the *life* by the *Picture*, and to become, and be, as you Expreſſe me to be; Your Gratulations, ſhall be no more welcome to me, then your buſineſs or Occaſions; which I will attend; And yet not ſo, but that I ſhall endeavour, to prevent them, by my Care of your Good. And ſo I commend you to God's Goodneſs.

Gorhambury Apr. 22. 1617.

Your moſt loving and aſſured Friend and Sonne

Fr. Bacon. *C. S.*

XCIV.

From the Original.

To the *Earl* of *Buckingham.*

My ſingular good Lord.

I Am now for five or ſix days retired to my houſe in the Country: For I think all my Lords are willing to do, as Schollars do, who though they call them Holy-days, yet they mean them Play-days.

We purpoſe to meet again on Eaſter Monday, and go all to the *Spittall* Sermon for that day, and therein to revive the ancient religious manner when all the *Counſel* uſed to attend thoſe Sermons; which ſome neglect in Queen *Elizabeth*'s time, and his Majeſty's great Devotion in the due hearing of Sermons himſelf with his Counſel at the Court brought into deſuetude. But now our Attendance upon his Majeſty, by reaſon of his abſence cannot be, it is not amiſs to revive.

I perceive by a Letter your Lordſhip did write ſome days ſince to my Lord *Brackley*, that your Lordſhip would have the King ſatisfied by *Preſidents*, that letters *Patents* mought be of the dignity of an Earldom without delivery of the Patent by the King's own hand, or without the ordinary Solemnitys of a Creation. I find Preſidents ſomewhat tending to the ſame Purpoſe, yet not matching fully. But howſoever let me according to my faithfull and free manner of dealing with your Lordſhip, ſay to you, That ſince the King means it, I would not have your Lordſhip for the ſatisfying a little trembling or panting of the Heart in my Lord or Lady *Brackley*, to expoſe your Lordſhip's ſelf, or my

my ſelf (whoſe opinion would be thought to be relyed upon) or the King our Maſter to envy with the Nobility of this Realm; as to have theſe Ceremonys of Honour diſpenſed with, which in conferring Honour have uſed to be obſerved, like a kind of Doctor *Bullatus* without the Ceremony of a *Commencement*: The King and you know I am not Ceremonious in Nature, and therefore you may think (if it pleaſe you) I do it in Judgement. God ever preſerve you.

Your Lordſhip's moſt faithful
and devoted Friend and Servant

Fr. Bacon. *C. S.*

I purpoſe to ſend the Preſidents *themſelves by my Lord of* Brackley *but I thought fit to give you ſome taſte of my Opinion before.*

Gorhambury April 13. 1617.

XCV.

From the Original.

To the KING.

It may pleaſe your moſt Excellent Majeſty,

MR. *Vicechamberlayn* hath acquainted my ſelf and the reſt of the *Commiſſioners* for the Marriage with *Spain*, which are here, with your Majeſty's Inſtructions, ſigned by your Royal hands, touching that Point of the ſuppreſſing of Pirates, as it hath relation to his *Negotiation*; Whereupon we met yeſterday at my

my Lord *Admiral*'s at *Chelſey*, becauſe we were loth to draw my Lord into the air, being but newly upon his Recovery. (*a*)

We conceive the parts of the buſineſs are *Four*: The *Charge*: the *Confederations*, and who ſhall be ſolicited or retain'd to come in: The *Forces* and the Diſtributions of them; and the *Enterprize*. We had onely at this time Conference amongſt our ſelves, and ſhall appoint (after the Holy days) times for the calling before us ſuch as are fit, and thereupon perform all the parts of your Royal Commandements.

In this Conference, I met with ſomewhat, which I muſt confeſſe was altogether new to me, and open'd but darkly neither; Whereof I think Mr. Vicechamberlayn will give your Majeſty ſome light for ſo we wiſhed. By occaſion whereof I hold it my Duty in reſpect of the great place wherein your Majeſty hath ſet me (being onely made worthy by your Grace) which maketh it decent for me to Counſel you *ad ſummas rerum* to intimate or repreſent to your Majeſty thus much.

I do foreſee, in my ſimple Judgement, much Inconvenience to inſue, if your Majeſty proceed to this Treaty with *Spain*, and that your Counſel draw not all one way. I ſaw the bitter fruits of a divided Counſel the laſt *Parlement*; I ſaw no very pleaſant fruits thereof in the matter of the *Cloth*. This will be of equal, if not

(*a*) *Charles Lord Howard* of *Effingham* and Earl of *Nottingham*, was as Sir *Robert Maunton* obſerves as goodly a Gentleman for Perſon as the times had any; which is confirmed by Mr *Osbourn*, although his Eyes met not with him, til he was turned towards the point of eighty. He being alſo brave, faithful and diligent, commanded the Fleet as Lord High *Admiral* upon ſeveral Occaſions, particularly againſt the *Spaniſh Armado* in 1588. But in the latter end of the year 1618 He ſurrendred this Honourable Place to the King, (who confer'd it upon the Marquis of *Buckingham*;) and dyed in the year 1624. and of his Age the 88th.

more

more Inconvenience; *For whereſoever the Opinion of your people is material* (as in many Caſes it is not) *there, if your Counſel be united, they ſhall be able almoſt to give Law to Opinion, and rumor; but if they be divided, the Infuſion will not be according to the ſtrength and vertue of the votes of your Counſel, but according to the aptneſs and Inclination of the Popular.* This I leave to your Majeſty in your high Wiſdom to remedy. Onely I could wiſh that when Sir *John Digby's* Inſtructions are perfected, and that he is ready to go: Your Majeſty would be pleas'd to write ſome formal letter, to the Body of your Counſel (if it ſhall be in your abſence) ſignifying to them your Reſolution in General, to the end, that when *Deliberation*, ſhall be turn'd into *Reſolution*, no Man, howſoever he may retain the Inwardneſs of his Opinion, may be active *in Contrarium.*

The letters of my *Lords* of the *Council*, with your Majeſty touching the Affairs of *Ireland* written largely and articulately, and by your Majeſty's direction, will much Facilitate our Labours here; though there will not want Matter of Conſultation thereupon. God ever preſerve your Majeſty ſafe and happy.

London, April 19. 1617.

Your Majeſty's, moſt devoted and obliged Servant,

Fr. Bacon. *C. S.*

XCVI.

XCVI.

From the Original

To the Earl of *Buckingham.*

My ſingular good Lord.

I Send your Lordſhip according to the direction of your letter, a Note of the *Preſidents* that I find in my Lord *Brackley*'s buſineſs; which do rather come near the Caſe then match it. Your Lordſhip knoweth already my Opinion, that I would rather have you Conſtant in the Matter, then Inſtant for the Time.

I ſend alſo incloſed an Account of Council buſineſs by way of remembrance to his Majeſty, which it may pleaſe you to deliver to him.

The *Queen* returneth her thanks to your Lordſhip, for the Diſpatch of the Warrant, touching her Houſe; I have not yet acquainted the Lord *Treaſurer*, and *Chancelor* of the *Exchequer* with it; but I purpoſe to morrow to deliver them the Warrant, and to adviſe with them for the executing the ſame.

I have receiv'd the King's letter with another from your Lordſhip, touching the Cauſe of the *Officers*, and Sir *Arthur Ingram*, whereof I will be very careful to do them Juſtice.

Yeſterday I took my place in *Chancery*, which I hold onely from the King's Grace and Favor, and your conſtant Friendſhip. There was much ado, and a great deal of World. But this matter of *Pompe*, which is *Heaven* to ſome Men, is *Hell* to me, or *Purgatory* at leaſt. It is true, I was glad to ſee, that the King's Choice, was ſo generally approved; and that I had

ſo

ſo much Intereſt in Mens good Wills and good Opinions, becauſe it maketh me the fitter Inſtrument, to do my Maſter Service, and my Friend alſo.

After I was ſet in *Chancery* I publiſhed his Majeſty's Charge which he gave me, when he gave me the Seal; and what Rules and Reſolutions I had taken for the fulfilling his Commandements. I ſend your Lordſhip a † *Copy* of that I ſaid. My Lord *Hay* coming to take his leave of me two days before, I told him what I was meditating, and he deſired me to ſend him ſome remembrance of it; and ſo I could not, but ſend him another Copy thereof. Men tell me, it hath done the King a great deal of Honour; inſomuch that ſome of my Friends that are wiſe Men, and no vain ones, did not ſtick to ſay to me, that there was not theſe ſeven years ſuch a preparation for a *Parlement*; Which was a Commendation, I confeſs pleaſed me well. I pray take ſome fit time to ſhew it his Majeſty, becauſe if I misunderſtood him in any thing, I may amend it, becauſe I know his Judgement is higher and deeper then mine.

† Printed in the *Reſuſcitatio* pa. 79.

I take infinite Contentment to hear his Majeſty is in great good health and vigor; I pray God preſerve and continue it. Thus wiſhing you well above all Men living, next my Maſter and his. I reſt

Dorſet-houſe, *which putteth me in mind to thank your Lordſhip, for your Care of me touching* York-Houſe.
May 8. 1617

Your true and devoted Friend and Servant,

Fr. Bacon. *C. S.*

XCVII.

An Account of *Council* buſineſs, and of other Matters committed to me by his *Majeſty*.

Firſt, For *May*-Day; At which time there was great apprehenſion of Tumult by Prentices, and looſe people. There was never ſuch a ſtill. The Remedyes that did the effect were three.

Firſt, the putting in Muſter of the Trayned Bands and Military Bands in a brave Faſhion that Way. *Next* the laying a ſtrait Charge upon the Mayor, and Aldermen for the City, and Juſtices of the Peace for the Suburbs, that the Prentices and others mought go abroad with their Flags and other Gauderys; but without weapon of Shot and Pique, as they formerly took liberty to do. Which Charge was exceeding well performed and obeyed. And the *laſt* was, that we had according to our Warrant Dormant, ſtrengthen'd our Commiſſions of the Peace in *London* and *Middleſex*, with new Clauſes of Lieutenancy; which as ſoon as it was known abroad all was quiet by the Terror it wrought. This I write, becauſe it maketh good my further Aſſurance, I gave his Majeſty at his firſt removes, that all ſhould be quiet, for which I receiv'd his Thanks.

For the *Iriſh* Affairs, I received this day, his Majeſty's letter to the *Lords*, which we have not yet open'd, but ſhall ſit upon them this Afternoon. I do not forget, beſides the Points of State, to put my Lord *Treaſurer* in remembrance, that his Majeſty laid upon him the Care of the Improvement of the Revenue of *Ireland*, by all good means, of which I find his Lordſhip very Careful, and I will help him the beſt I can.

The

The matter of the Revenue of the Recuſants here in *England*, I purpoſe to put forward by a Conference with my Lord of *Canterbury*, upon whom the King layd it, and upon *Secretary Winwood*; and becauſe it is Matter of the *Exchequer*, with my Lord *Treaſurer* and Mr. *Chancellor*, and after to take the Aſſiſtance of Mr. *Attorney*, and the learned *Counſel*, and when we have put it in a Frame to certifie his Majeſty.

The buſineſs of the *Pyrates* is, I doubt not by this time come to his Majeſty upon the letters of us the Commiſſioners, whereof I took ſpecial Care; And I muſt ſay I find Mr. Vice-*Chamberlayn* a good able Man with his Pen. But to ſpeak of the main buſineſs which is the *Match* with *Spain*, the King knows my Mind by a former letter; that I would be glad it proceeded with an United Counſel; Not but that Votes, and Thoughts are to be free: But yet after a King hath reſolved, all Men ought to Cooperate and neither to be *active* nor much *Loquutive* in *Oppoſitum*; eſpecially in a Caſe, where a few diſſenting from the reſt, may hurt the buſineſs in * *foro famæ*,

Teſterday, which was my weary day, I bid all the *Judges* to Dinner, (which was not uſed to be) and entertained them in a private withdrawing Chamber, with the learned *Counſel*. When the Feaſt was paſſed, I came amongſt them, and ſet me down at the end of the Table, and pray'd them to think, I was one of them and but a Foreman. I told them I was weary and therefore muſt be ſhort, and that I would now ſpeak to them upon two points. Whereof the *one* was that I would tell them plainly, That I was firmly perſwaded, that the former Diſcords and Differences between the *Chancery* and other *Courts* were but Fleſh and Blood; and that now the Men were gon, the matter was gon; And that for my part as I would not ſuffer any the leaſt

* In point of Reputation.

diminution or derogation from the ancient and due power of the *Chancery*, ſo if any thing ſhould be brought to them at any time, touching the Proceedings of the *Chancery*, which did ſeem to them Exorbitant or Inordinate; that they ſhould freely and friendly acquaint me with it, and we ſhould ſoon agree; or if not, we had a Maſter, that could eaſily both diſcern and rule. At which Speech of mine, beſides a great deal of Thanks and Acknowledgement, I did ſee Chear and Comfort in their Faces, as if it were a new World.

The *Second* Point was, that I let them know, how his Majeſty at his going gave me Charge, to call and receive from them the Accounts of their *Circuits*, according to his Majeſty's former Preſcript, to be ſet down in writing, And that I was to tranſmit the Writings themſelves to his Majeſty, and accordingly as ſoon as I have receiv'd them, I will ſend them to his Majeſty.

Some two days before I had a Conference with ſome Judges, (not all, but ſuch as I did chooſe) touching the *High Commiſſion*, and the extending of the ſame in ſome Points, which I ſee I ſhall be able to diſpatch by Conſent, without his Majeſty's further trouble.

I did call upon the Committees alſo for the Proceeding in the purging of Sir *Edward Coke*'s Reports, which I ſee they go on with ſeriouſly. (*a*)

Thanks

(*a*) During the time that my Lord Chief Juſtice *Coke* lay under the Diſpleaſure of the Court, for the reaſons I have mention'd in the Diſcourſe preceding theſe Letters; ſome Information was given to the King, that he having publiſhed eleven books of Reports, had written many things againſt his Majeſty's *Prerogative*. And being commanded to explain ſome of them, My Lord Chancellor *Elleſmere* doth thereupon in his Letter of 22th of *Octob.* 1616. write thus to the King. *According to your Majeſty's directions ſignifyed unto me by Mr. Solicitor, I called the Lord Chief Juſtice before me, on Thurſday the 17th inſtant, in preſence of Mr. Attorney and others of your learned Counſel. I did let him know your Majeſty's acceptance of the few Animadverſions, which upon Review of his own labours, he had ſent tho' fewer then you expected, and his Excuſes other then you expected.* And did at the ſame

Thanks be to God, we have not much to do for Matters of Counſel, and I ſee now that his Majeſty is as well able by his letters to govern *England* from *Scotland*, as he was to govern *Scotland* from *England*.

ſame time inform him, that his Majeſty was diſſatisfied with ſeveral other Paſſages therein; and thoſe not the principal Points of the Caſes judged, but deliver'd by way of Expatiation, and which might have been omitted without prejudice to the Judgement: Of which ſort the *Attorney* and *Solicitor*-general, did for the preſent onely ſelect five, which being deliver'd to the Chief Juſtice on the 17th of *October*, he returns his Anſwers at large upon the 21*ſt*. of the ſame Month, the which I have ſeen under his own hand. 'Tis true the Lord *Chancellor* wiſhed he might have been ſpared all Service concerning the *Chief Juſtice*, as remembring the 5th Petition of, *Dimitte nobis Debita noſtra*, &c. Inſomuch that though a Committee of Judges was appointed to conſider theſe Books, yet the Matter ſeems to have ſlept, til after Sir *Fra. Bacon* was made *Lord Keeper* it revived, and two Judges more were added to the former. Whereupon Sir *Edward Coke* doth by his Letter make his humble Suit to the Earl of *Buckingham*. 1. That if his Majeſty ſhall not be ſatisfyed with his former Offer, *viz.* by the Advice of the Judges, to explain and publiſh thoſe Points, ſo as no ſhadow may remain againſt his Prerogative; That then all the Judges of *England* may be called thereto. 2. That they might certify alſo what Caſes he had publiſhed for his Majeſty's Prerogative and Benefit, for the good of the Church and quieting Mens Inheritances, and good of the Commonwealth. But Sir *Edward* being then or ſoon after coming into Favor by the Marriage of his Daughter, I conceive there was no farther Proceedings in this Affair. It will be needleſs for me to declare what reputation theſe Books have, among the Profeſſors of the Law; but I cannot omit upon this Occaſion, to take Notice of a Character Sir *Fra. Bacon* had ſome time before given them in his Propoſition to the King, touching the *Compiling* and *Amendment* of the *Laws* of *England*. 'To give every Man his due, had it 'not been for Sir *Edward Coke*'s *Reports* (which though they may have Er-'rors, and ſome peremptory and extrajudicial Reſolutions more than are 'warranted, yet they contain infinite good *Deciſions* and Rulings over of 'Caſes;) the law by this time had been almoſt like a Ship without Bal-'laſt; For that the Caſes of modern experience, are fled from thoſe, that 'are adjudged and ruled in former Time.

XCVIII.

XCVIII.

A Note of ſome *Preſidents*, as come neareſt the Caſe of the Lord *Brackley*. Referred to in the foregoing Letter.

THE Lord *Hay* was created Baron of *Sawley*, 28. *Junij*, 13. *Regis*, without the Ceremony of robing, (as I take it) but then the Patent was (as I conceive it alſo) delivered to the Perſon of the ſaid Lord *Hay*, by the King's own hands; and again the Dignity of a Baron hath incident to it, onely the Ceremony of *Robes*, and not the *Cincture* of the *Sword*, *Coronet*, &c.

The Duke of *Lenox* was created Earl of *Richmond* 6 of *Octobris* 11. *Regis* without any the Ceremonies (as I take it) but the Patent (as I conceive it alſo) was deliver'd to the perſon of the ſaid Duke, with the hands of the King; and again in regard he was inveſted of the ſuperior Dignity of Duke of *Scotland*, the Ceremonies were not ſo fit to be iterated.

King *Henry* VIIth created *Edward Courtenay* Knight Earl of *Devon* 26. *Octobris* 1°. *Regni*, *Teſte meipſo apud Weſtmonaſterium*. &c. Whereby it may be collected, that it was done without the Solemnities; For that where the Solemnities were performed, it hath uſed to be with a *Hiſce Teſtibus*, and not *Teſte meipſo*; And whether it were deliver'd with the King's hand or not, it appears not.

Edward VI. created *William* Earl of *Eſſex* Marquis of *Northampton* 16, *Feb.* 1 *Edw.* 6. and it is mention'd to be *per Cincturam gladii*, *Cappam Honoris*, *& Circuli aurei Impoſitionem*, but whether the Delivery was by the

the King's own hand *non Conſtat*, but it was *Teſte meipſo* and not *Hiſce Teſtibus*,

The ſame King created *John* Viſcount *L'Iſle* Earl of *Warwick*, the ſame time, and it is mentioned to be *per Cincturam gladij*, &c. but it was *Teſte meipſo*, and not *Hiſce Teſtibus*.

Edward VI. created *Thomas* Lord *Wriotheſley* Earl of *Southampton* in the ſame day, and in the ſame manner, with a *Teſte meipſo* and not *Hiſce Teſtibus*. Theſe three Creations being made upon one day and when the King was a Child of about 9 years old, and in the very entrance of his Reign, for the Patents bear date at the *Tower* of *London*, doth make me conjecture that all the Solemnities were performed, but whether the King endured to be preſent at the whole Ceremony and to deliver the Patents, with his own hand, I doubt; For that I find that the very ſelf ſame day, year and place, the King created his Uncle the Earl of *Hartford*, to be Duke of *Somerſet per Cincturam gladij, Cappam Honoris, & Circuli aurei impoſitionem, & traditionem Virgulæ aureæ*, with a *Hiſce Teſtibus* and not *Teſte meipſo*, and with a *Datum per manus noſtras*: but theſe things are but conjectural.

I find no *Preſidents* for a *Non obſtante*, or a Diſpenſation with the Solemnities, as the Lord *Brackley's* Bill was penned.

XCIX.

From the Original.

To the Earl of *Buckingham.*

My very good Lord.

I Shall write to your Lordſhip of a buſineſs, which your Lordſhip may think to concern my ſelf; but

I do think it concerneth your Lordſhip much more. For as for me as my Judgement is not ſo weak, to think it can do me any hurt, ſo my Love to you is ſo ſtrong, as I would prefer the good of you and yours, before mine own particular.

It ſeemeth *Secretary Winwood* hath officiouſly buſied himſelf to make a Match between your Brother and Sir *Edward Coke*'s Daughter; And as we hear he doth it rather to make a Faction then out of any great Affection to your Lordſhip: It is true, he hath the Conſent of Sir *Edward Coke* (as we hear) upon reaſonable Conditions for your Brother, and yet no better then without queſtion, may be found in ſome other Matches. But the Mother's Conſent is not had, nor the young Gentlewoman's, who expecteth a great Fortune from her Mother, which without her Conſent is endangered. This Match, out of my Faith and Freedom towards your Lordſhip, I hold very inconvenient both for your Brother and your ſelf.

Firſt, He ſhall marry into a diſgraced Houſe, which in reaſon of State is never held good.

Next, He ſhall marry into a troubled Houſe of Man and Wife, which in Religion and Chriſtian Diſcretion, is diſliked.

Thirdly, Your Lordſhip will go near to looſe all ſuch your Friends as are adverſe to Sir *Edward Coke*, (my ſelf onely except, who out of a pure Love and thankfulneſs ſhall ever be Firm to you.)

And *laſtly*, and *chiefly*, (believe it) It will greatly weaken and diſtract the King's Service; For though in regard of the King's great Wiſdom and Depth, I am perſuaded thoſe things will not follow, which they imagin; yet Opinion will do a great deal of Harm, and caſt the King back, and make him relapſe into thoſe Inconveniencys which are now well on to be recovered. There-

Therefore my *Advice* is, and your Lordſhip ſhall do your ſelf a great deal of Honour; If according to Religion and the Law of God, your Lordſhip will ſignifie unto my *Lady* your *Mother*, That your deſire is, That the Marriage be not preſſed or proceeded in without the Conſent of both Parents, and ſo either break it altogether, or defer any further delay in it, till your Lordſhip's Return: And this the rather, for that (beſides the Inconvenience of the Matter it ſelf) It hath been carried ſo harſhly and inconſiderately by Secretary *Winwood*, as for doubt that the Father ſhould take away the Maiden by Force; the Mother to get the Start hath convey'd her away ſecretly; which is ill of all ſides. Thus hoping your Lordſhip will not onely accept well, but believe my faithful Advice, who by my great Experience in the World, muſt needs ſee further then your Lordſhip can, I ever reſt

Your Lordſhip's true and moſt devoted
Friend and Servant,

Fr. Bacon. *C. S.*

I have not heard from your Lordſhip ſince I ſent the King my laſt Account of Counſel *Buſineſs, but I aſſure my ſelf you receiv'd it, becauſe I ſent at the ſame time a Packet to* Secretary Laque *who hath ſignifyed to me that he hath received it.*

I pray your Lordſhip deliver to his Majeſty this little Note of Chancery *Buſineſs.*

July 12. 1617.

C.

From the Original.

To the KING.

It may pleaſe your moſt Excellent Majeſty,

I Think it agreeable to my Duty, and the great Obligation, wherein I am tyed to your Majeſty, to be freer then other Men in giving your Majeſty faithful Counſel, while things are in paſſing; and more bound then other Men in doing your Commandments, when your Reſolution is ſetled, and made known to me.

I ſhall therefore moſt humbly crave Pardon from your Majeſty, if in plaineſs and no leſs humbleneſs, I deliver to your Majeſty my honeſt, and diſſintereſſed Opinion, in the buſineſs of the Match of Sir *John Villiers*, which I take to be *Magnum in parvo*: preſerving always the Laws and Duties of a Firm Friendſhip, to my *Lord* of *Buckingham* whom I will never ceaſe to love, and to whom I have written already, but have heard yet from his Lordſhip.

But Firſt, I have three Suits to make to your Majeſty, hoping well, you will grant them all.

The *Firſt* is, That if there be any Merit in drawing on that Match; your Majeſty would beſtow the thanks not upon the Zeal of Sir *Edward Coke* to pleaſe your Majeſty; nor upon the eloquent Perſuaſions or Pragmatical's of Mr. Secretary *Winwood*; but upon them, that carrying your Commandments and Directions with Strength and Juſtice, in the matter of the *Governour* of *Diepe* (*a*); in the matter of Sir *Robert Rich*;

(*a*) All that I have ſeen relating to the Difference between the *Governour* of *Diepe*, and Sir *Edward Coke*, is contained in a letter of Secretary *Winwood*'s to my Lord of *Buckingham*, dated the 29th of *June* this year, and in theſe Words. Sir *Edward Coke* hath conſigned into the hands of the Lords 2400 *l.* for the Satisfaction of the *French* Ambaſſador, in the Cauſe which concerneth the *Governour* of *Diepe*.

and

and in the matter of protecting the *Lady*, according to your Majeſty's Commandment; have ſo humbled Sir *Edw. Coke*, as he ſeeketh now that with Submiſſion, which (as your Majeſty knoweth) before he rejected with Scorn: For this is the true *Orator*, that hath perſuaded this buſineſs; as I doubt not but your Majeſty in your excellent Wiſdom doth eaſily diſcern.

My *Second* Suit is, That your Majeſty would not think me ſo puſillanimous; as that I, that when I was but Mr. *Bacon*, had ever (through your Majeſty's Favour) good Reaſon at Sir *Edward Coke*'s hands, when he was at the greateſt; ſhould now that your Majeſty of your great goodneſs, hath placed me ſo near your Chair, (being as I hope by God's Grace, and your Inſtructions, made a Servant according to your Heart and Hand) fear him or take *Umbrage* of him, in reſpect of mine own particular.

My *Third* Suit is, That if your Majeſty be reſolved the Match ſhall go on, after you have heard my Reaſons to the contrary; I may receive therein your particular Will and Commandments from your ſelf; that I may conform my ſelf thereunto; imagining with my ſelf (though I will not wager on Women's Minds) that I can prevail more with the Mother, than any other Man. For if I ſhould be requeſted in it from my *Lord* of *Buckingham*; the Anſwers of a true Friend ought to be, That I had rather go againſt his mind then againſt his good: But your Majeſty I muſt obey: And beſides I ſhall conceive that your Majeſty out of your great Wiſdom and Depth, doth ſee thoſe things which I ſee not.

Now therefore, not to hold your Majeſty with many Words, (*which do but drown Matter*) Let me moſt humbly deſire your Majeſty, to take into your Royal Conſideration, That the State is at this time not onely

in good Quiet and Obedience, but in good Affection and Diſpoſition. Your Maieſty's *Prerogative* and Authority having riſen ſome juſt Degrees above the *Horizon* more then heretofore; which hath diſperſed Vapors: Your *Judges* are in good Temper; your *Juſtices* of *Peace* (which is the body of the Gentlemen of *England*) grow to be loving and obſequious, and to be weary of the Humour of Ruffling: All mutinous Spirits grow to be a little poor, and to draw in their Horns; and not the leſs for your Majeſty's diſauctorizing the Man I ſpeak of. Now then I reaſonably doubt, that if there be but an Opinion of his Coming in, with the Strength of ſuch an Alliance; it will give a Turn and Relapſe in Mens minds, into the former ſtate of Things, hardly to be holpen, to the great weakning of your Majeſty's Service.

Again, Your Majeſty may have perceived, that as far as it was fit for me in Modeſty to adviſe; I was *ever* for a *Parlement*, (which ſeemeth to me to be *Cardo rerum* or *ſumma ſummarum* for the preſent Occaſions.) But this my Advice was ever Conditional; *That your Majeſty ſhould go to a* Parlement *with a Counſel United and not Diſtracted:* And that your Majeſty will give me leave never to expect, if that Man come in. Not for any Difference of mine own; (for I am *Omnibus omnia* for your Majeſty's Service) but becauſe he is by Nature *Unſociable*, and by Habit *Popular*, and too old now to take a new *Plye*. And Men begin already to Collect, yea and to Conclude, that he that raiſeth ſuch a Smoke to get in, will ſet all on Fire when he is in.

It may pleaſe your Majeſty now I have ſaid, I have done; And as I think I have done a Duty not unworthy the firſt year of your laſt high Favour: I moſt humbly pray your Majeſty to pardon me, if in any thing, I have erred: For my Errours ſhall always be ſupplied by

by Obedience; And ſo I conclude with my Prayers, for the Happy Preſervation of your *Majeſty*'s Perſon and Eſtate.

From *Gorhambury* this 25th of *July* 1617.

Your Majeſty's moſt humble, bounden, and moſt devoted Servant,

Fr. Bacon. *C. S.*

CI.

From the Original.

To the Earl of *Buckingham.*

My very good Lord,

I Do think long to hear from your Lordſhip, touching my laſt Letter, wherein I gave you my Opinion touching your Brother's *Match.* As I then ſhewed my Diſlike of the Matter, ſo the Carriage of it here in the manner I diſlike as much. If your Lordſhip think it is Humour or Intereſt in me that leads me, God judge my Sincerity. But I muſt ſay, that in your many noble Favours towards me, they ever moved and flowed from your ſelf, and not from any of your Friends whatſoever; And therefore in requital, give me leave, that my Counſels to you again be referred to your Happineſs, and not to the Deſires of any of your Friends. I ſhall ever give you, as I give my Maſter, *ſafe Counſel* and ſuch as *Time* will approve.

I receiv'd yeſterday from Mr. *Attorney* the *Queen*'s *Bill*, which I ſend your Lordſhip. The payment is not out of Lands, but out of the Cuſtoms, and ſo it can be but the Rent. Your Lordſhip remembreth, it is but

in

in a Caſe, which I hope ſhall never be; that is, after his Majeſty's Death, if ſhe ſurvive. God ever bleſs and direct you.

Gorhambury this 25th of *July* 1617.

Your Lordſhip's moſt faithful and devoted Friend and Servant,

Fr. Bacon. *C. S.*

CII.

To the KING.

It may pleaſe your moſt Excellent Majeſty.

I Dare not preſume any more to reply upon your Majeſty, but I reſerve my Defence till I attend your Majeſty at your happy Return: when I hope verily to approve my ſelf, not onely a true Servant to your Majeſty, but a true Friend to my Lord of *Buckingham*; And for the times alſo; I hope to give your Majeſty a good Account, though Diſtance of Place may obſcure them. But there is one part of your Majeſty's Letter, that I could be ſorry to take time to Anſwer; which is that your Majeſty conceives, That whereas I wrote that the heighth of my *Lord's* Fortune might make him ſecure, I mean that he was turned proud, or unknowing of himſelf; Surely the Opinion I ever had of my Lord (whereof your Majeſty is beſt Witneſs) is far from that. But my meaning was plain and ſimple, that his Lordſhip might through his great Fortune, be the leſs apt to caſt and foreſee the Unfaithfulneſs of Friends, and the Malignity of Enemies, and Accidents of Time. Which is a Judgement (your Majeſty knoweth better then I) that the beſt Authors makes

makes of the beſt, and beſt tempered Spirits, *ut ſunt res humanæ*; inſomuch that *Guicciardine* maketh the Judgement (not of a particular Perſon) but of the wiſeſt *State* of *Europe*, the *Senate* of *Venice*; when he ſaith their Proſperity had made them ſecure, and under weighers of Perils. Therefore I beſeech your Majeſty to deliver me in this from any the leaſt Imputation to my Dear and Noble Lord my Friend. And ſo expecting, that that *Sun* which when it went from us left us cold Weather, and now it is returned towards us hath brought with it a bleſſed harveſt; will, when it cometh to us, diſpel and diſperſe all Miſts and Miſtakings.

July 31. 1617.

CIII.

From the Original.

To the Earl of *Buckingham.*

My very good Lord,

SInce my laſt to your Lordſhip, I did firſt ſend for Mr. *Attorney* general, and made him know, that ſince I heard from *Court*, I was reſolved to further the *Match* and the Conditions thereof for your Lordſhip's Brother's Advancement the beſt I could. I did ſend alſo to my Lady *Hatton* and ſome other ſpecial friends, to let them know, I would in any thing declare my ſelf for the Match; which I did to the end, that if they had any Apprehenſion of my Aſſiſtance, they mought be diſcouraged in it. I ſent alſo to Sir *John Butler*, and after by Letter to my *Lady* your *Mother*, to tender my performance of any good Office towards the Match or the Advancement from the Mother. This was all I could think of for the preſent. I did

I did ever foreſee, that this Alliance would go near to leeſe me your Lordſhip, that I hold ſo dear; And that was the onely Reſpect particular to my ſelf that moved me to be as I was, till I heard from you. But I will rely upon your Conſtancy and Nature and my own Deſerving, and the firm Tye we have in reſpect of the King's Service.

In the mean time I muſt a little complain to your Lordſhip, that I do hear my *Lady* your Mother and your Brother Sir *John* do ſpeak of me with ſome bitterneſs and neglect. I muſt bear with the one as a *Lady*, and the other as a *Lover*, and with both for your Lordſhip's ſake, whom I will make Judge of any thing they ſhall have againſt me. But I hope though I be a true Servant to your Lordſhip, you will not have me to be a Vaſſal to their Paſſions, ſpecially as long as they are governed by Sir *Edward Coke* and Secretary *Winwood*, the latter of which I take to be the worſt; For Sir *Edward Coke*, I think is more modeſt and diſcreet. Therefore your Lordſhip ſhall do me *Right*, and yet I ſhall take it for *Favour*, if you ſignify to them that you have received Satisfaction from me, and would have them uſe me friendly, and in good manner. God keep us from theſe long Journeys and Abſence which make Miſunderſtandings and give Advantage to Untruth, and God ever proſper and preſerve your Lordſhip.

Gorhambury this 23th of *Aug.* 1617.

Your Lordſhips true and devoted Friend and Servant,

Fr. Bacon. *C. S.*

CIV.

CIV.

From the Original.

To the Earl of *Buckingham*

My ever beſt Lord, now better then your ſelf.

YOur Lordſhip's *Pen* or rather *Pencil* hath pourtraied towards me ſuch Magnanimity and Nobleneſs and true Kindneſs; as methinketh I ſee the Image of ſome ancient Virtue, and not any thing of theſe times. It is the Line of my Life, and not the Lines of my Letter, that muſt expreſs my Thankfulneſs: Wherein if I fail, then God fail me, and make me as miſerable, as I think my ſelf at this time Happy, by this reviver, through his Majeſty's ſingular Clemency, and your Incomparable Love and Favour. God *preſerve* you, *proſper* you, and *reward* you, for your Kindneſs to

Sept. 22. 1617.

Your raiſed and infinitely obliged Friend and Servant

Fr. Bacon. *C. S.*

CV.

From the Original.

To the Earl of *Buckingham.*

My very good Lord,

I Send your Lordſhip the *Certificate* touching the *Inrollement* of *Prentices.* We can find no ground for it by Law. My ſelf ſhall ever be ready to further

hings that your Lordſhip commendeth; but where the Matter will not bear it; your Lordſhip I know, will think not the worſe, but the better of me, if I ſignify the true ſtate of things to your Lordſhip; reſting ever

York-houſe this 29th of *October* 1617.

Your Lordſhip's true Friend and devoted Servant,

Fr. Bacon. *C. S.*

The *Certificate.*

ACcording to his Majeſty's Command ſignified by your Lordſhips Letters, we have adviſedly conſider'd of the *Petition* touching the *Inrollement* of Apprentices Indentures, and heard the Petitioners Counſel, and do find as followeth:

1. That the Act of *Parlement* 5° *Eliz.* doth not warrant the erecting of an Office to Inrolle ſuch Indentures in Cities, Towns Corporate, or Market Towns. But if any ſuch Inrollement ſhould be, it muſt be by the Officers there, who are aſſigned to perform ſundry other things touching Apprentices and Servants.

2. That in Country Villages (for which the Suite carries moſt Colour) we cannot give the Suiters hope, that any profit will be there made, warrantable by Law.

Thus we have (according to our Duties) certified our Opinions of this *Petition*, ſubmitting the ſame nevertheleſs to his Majeſty's great Wiſdom, and reſt,

Octob. 25. 1617. *At your Lordſhip's Command,*

Fr. Bacon. C. S. H. Montague. Tho. Coventry.

CVI.

CVI.

From the Original.

To the Earl of *Buckingham.*

My very good Lord.

THE liking which his Majeſty hath of our Proceeding concerning his *Houſehold*, telleth me that his Majeſty cannot but diſlike the declining and tergiverſation of the inferiour Officers; which by this time he underſtandeth.

There be but four kinds of Retrenchments. 1. The Union of Tables. 2. The putting down of Tables. 3. The Abatement of Diſhes to Tables. 4. The Cutting off new Diets and Allowance lately raiſed; And yet perhaps ſuch as are more neceſſary then ſome of the old.

In my Opinion the firſt is the beſt and moſt feaſible. The Lord *Chamberlains* Table is the principal Table of State. The Lord *Steward*'s Table I think is much frequented by *Scottiſh* Gentlemen. Your Lordſhip's Table hath a great Attendance; And the Groom of the *Stole*'s Table is much reſorted to by the Bedchamber. Theſe would not be touched. But for the reſt (his Majeſty's Caſe conſider'd) I think they may well be united into one.

Theſe things are out of my Element, but my Care runneth, where the King's State moſt laboureth: Sir *Lionel Cranfield* (*a*) is yet ſick, for which I am

(*a*) Sir *Lionel Cranfield* was a Man of ſo much note in theſe times, and ſo often named in theſe Papers, that I cannot omit taking ſome notice of his good and bad Fortunes. He was bred a Merchant, yet by his great Abilities in, and application to Buſineſs, and the relation he had to my Lord of *Buckingham* by Marriage, he was raiſed to be Maſter of the Court of *Requeſts*, then of the *Wardrobe*, and after of the Court of *Wards*, Created Lord *Cranfield*, and Earl of *Middleſex*: miſſing the Lord *Keeper*'s place, he was conſtituted Lord *High Treaſurer*, which being an Office he underſtood as well as any; We may conclude his Integrity fell ſhort of his Ability, from the ſevere Judgment given againſt him by the Houſe of *Lords* in 1624.

very ſorry; for methinks his Majeſty upon theſe Toſſings over of his buſineſs from one to others hath an apt occaſion to go on with *Subcommittees*. *God* ever preſerve and proſper you.

York-Houſe,
Nov. 19.
1617.

Your Lordſhip's true Friend and devoted Servant,

Fr. Bacon. *C. S.*

CVII.

From the Original

To the Earl of Buckingham.

My very good Lord,

YEſterday at Afternoon were read at the *Table* his Majeſty's two Letters, written with his own hand, the matter worthy the hand. For they were written *ex Arte Imperandi*, if I can judge; and I hope they and the like will diſenchaunt us of the opinion, which yet ſticks with us, that to day will be as yeſterday, and to morrow as to day, ſo as there will be (as he ſaith) *Acribus initiis, Fine incurioſo* (*a*)

I hold my Opinion given in my former Letter, that the *uniting* of ſome *Tables*, is the moſt paſſable way; but that is not all: For when that is done, the King may ſave greatly in that which remaineth. For if it

(*a*) One of the Letters here mention'd to be writ by the King, is Printed in the *Cabala*. In the other I ſuppoſe his Majeſty apprehends that the vigor the *Council* at firſt ſhew'd in reducing the charge of his Houſhold, would not be of long continuance. It being obſerv'd by *Tacitus*, in the words here cited, to be a thing not unuſual in publick affairs, *That violent beginnings had negligent Concluſions.*

be

be ſet down, what Tables ſhall be fixed, and what Diet allowed to them: My Steward (as ill a *Meſnager* as I am) or my Lord *Mayor*'s Steward can go near to tell, what charge will go near to maintain the Proportion. Then add to that ſome large allowance for Waſt, (becauſe the *King* ſhall not leeſe his *Prerogative to be deceiv'd more than other men*) and yet no queſtion there will be a great retrenchment. But againſt this laſt abatement will be fronted the payment of Arreres. But I confeſs, I would be glad that I mought ſee, or rather, that a *Parliament* may ſee, and chiefly that the *King* (for his own quiet) may ſee, that upon ſuch a Sum pay'd, ſuch an Annual Retrenchment will follow: For things will never be done in *act*, except they be firſt done in *conceit*.

I know theſe things do not pertain to me; *For my part is to acquit the King's Office towards God, by adminiſtration of Juſtice, and to oblige the Hearts of his People to him by the ſame, and to maintain his Prerogative.* But yet becauſe it is *in hoc*, that the King's caſe laboureth, I cannot but yield my care and my ſtrength too, in Counſell, ſuch as it is, which cannot be ſo much as it was between our *Lady-day*, and *Michaelmas* laſt. But whatſoever it is, it is wholly his Majeſty's, without any Deflexion.

As ſoon as I find any poſſibility of Health in Sir *Lyonel Cranfield*, to execute a *Sub-commiſſion*; I will by Conference with him frame a Draught of a Letter from his Majeſty, for which there is the faireſt occaſion in the world. And the King hath prepared it as well as poſſible. God ever preſerve and proſper you.

York-Houſe, 22 *Nov.* 1617.

Your Lordſhip's true Friend and devoted Servant,
Fr. Bacon, *C. S.*

CVIII.

CVIII.

From the Original.

To the Earl of Buckingham.

My very good Lord.

I Send your Lordſhip a Draught of a Letter touching the *Sub-commiſſion*, written in wide lines, becauſe it may be the better amended by his Majeſty. I think it is ſo penn'd as none can except to it, no nor imagin any thing of it. For the Houſhold-buſineſs, there was given a Fortnights day: For the Penſions, the courſe which I firſt propounded of abating of a third throughout, and ſome wholly ſeemeth well enter'd into. Theſe be no ill beginnings. But this courſe of the *Subcommiſſion* thriddes all the King's buſineſs. God ever preſerve and proſper you.

York-Houſe, 27 *Nov.* 1617.

Your Lordſhips true Friend and devoted Servant,
Fr. Bacon, *C. S.*

Sir *Lyonel Cranfield* is now reaſonably well recover'd.

Draught of the Subcommiſſion.

My Lords,

IN this firſt and greateſt branch of our Charge concerning our *Houſe*; we do find what difficulties are made, and what time is loſt, in diſputing and of deviſing upon the manner of doing it; whereof the matter

matter muſt be, and is ſo fully reſolved. Neither can we but ſee in this, as in a Glaſs, the like event to follow in the reſt upon like reaſon. For the *Inferior Officers* in every kind, who are beſt able for skill to propound the Retrenchments, will out of intereſt or fearfulneſs make dainty to do ſervice; and that which is done with an ill will, will never be well done. Again, to make it the act of the whole *Table*, for the particular Propoſitions and Reckonings, will be too tedious for you, and will draw the buſineſs it ſelf into length; and to make any particular *Committees* of your ſelves, were to impoſe that upon a few, which requireth to be carried indifferently as the act of you all. For ſince the great Officers themſelves think it too heavy for them, as our ſtate now is, to deal in it, without bringing it to the *Table*; with much more reaſon may any particular perſons of you be loth to meddle in it, but at the *Board*. In all which reſpects we have thought fit, (neither do we ſee any other way) that you ſend unto us the Names of the *Officers* of our *Exchequer*, and our *Cuſtom-Houſe*, and *Auditors* out of which we will make choice of ſome few, beſt qualified to be *Subcommittees* for the better eaſe, and the ſpeeding of the buſineſs by their continual Travails and meetings: Whoſe part and Employment we incline to be to attend the *Principal Officers* in their ſeveral Charges, and join themſelves to ſome of the Inferior Officers, and ſo take upon them the Mechanick and laborious part of every buſineſs, thereby to facilitate and prepare it, for your Conſultations, according to the Directions and Inſtructions, they ſhall receive from you from time to time.

CIX.

CIX.

From the Original.

To the Marquis of Buckingham.

My very Good Lord,

I Thought fit by this my private Letter to your Lordſhip, to give you an account of ſuch buſineſs, as your Lordſhip hath recommended unto me; that you may perceive that I have taken that care of them, I ought, and ever ſhall in thoſe things you recommend or remit to me.

For the Suit of the *Alehouſes* which concerneth your Brother Mr. *Chriſtopher Villiers*, and Mr. *Patrick Mawle*, I have conferr'd with my Lord *Chief Juſtice*, and Mr. *Solicitor* thereupon, and there is a Scruple in it, that it ſhould be one of the *Grievances* put down in *Parliament*; which if it be, I may not in my Duty and love to you, adviſe you to deal in it; if it be not, I will mould it in the beſt manner and help it forward. The ſtay is upon the ſearch of the Clerk of the Parliament, who is out of Town; but we have already found, that the laſt Grievance in 7^mo. is not the ſame with this Suit; but we doubt yet of another in 3^o.

For the buſineſs of Mr. *Leviſton*, for your Lordſhip's ſake (who I perceive keeps your Noble Courſe with me, in acquainting me with theſe things) I ſhall apply my ſelf unto you; though in my nature I do deſire that thoſe that ſerve in the Court where I ſit, though they be not in places of my Gift, and ſo concerns not me nor my place in profit; yet I wiſh, I ſay, I mought leave them in as good caſe as I find them. And

this

this Suit concerneth the main Profit of the *Six Clerks*, who though they be of the *Maſter* of the *Rolls* his Gift, yet they ſerve in my Court. But my greateſt doubt is that the Grant cannot be good in Law; and that it is not like thoſe other *Preſidents*, whereof I have receiv'd a Note. For the *Difference* is, where things have been written by all the Clerks indifferently and looſely, (in which caſe the King may draw them into an *Office*) and where they have appertained to one eſpecial Office: In which caſe the King can no more take away the Profits of a Man's Office, than he can the Profits of his Land. Therefore I think your Lordſhip may do well, to write to Mr. *Solicitor* and *Serjeant Finch (a)*, or ſome other Lawyers that you truſt, or ſuch as Mr. *Leviſton* truſteth, being Perſons of Account, to inform you of the Point in Law, before you proceed any further: For without that all is in vain.

For the buſineſs of *Hawkyns* touching the *Regiſter* for the *Commiſſion* of *Bankrupts*. I am not yet ſatisfied likewiſe for the Law, nor for the Conveniency, but I rather incline to think it may paſs, and I have ſet it in a Courſe by which I may be throughly informed.

For Sir *Rowland Egerton*'s Cauſe, and his Lady's, the Parties have ſubmitted themſelves unto me, and are content to do it by Bond, and therefore I will un-

(*a*) Of Sir *Tho. Coventry* the King's Solicitor ſome mention is made in the Introduction. Sir *Henry Finch* Serjeant at Law, being the Firſt of his Name, that for this laſt Age, has made ſuch a conſiderable Figure in that Profeſſion, I ſhall give a ſhort account of him. He was younger Brother to Sir *Moyle Finch* of *Eaſtwel* in the County of *Kent*, and Father of *John* Lord *Finch*, Keeper of the Great Seal in the Reign of King *Charles* the Firſt. He died in 1625, leaving to Poſterity a ſufficient Teſtimony of his Learning in the Law, as well as the Sciences; in his Book Intituled a Deſcription of the Common Laws of *England* according to the Rules of Art, *&c.* His Sons good Parts and Elocution were acknowledged by the greateſt of his Enemies; which accompliſhments, though he died without Iſſue, have eminently appear'd in ſome other Deſcendants from this Honourable Family.

doubtedly make an end of it according to Juſtice and Conſcience.

For Sir *Gilbert Houghton*'s Buſineſs I am in very good hope to effect your Lordſhip's deſire for his good.

For *Moor*'s Buſineſs, concerning the Printing of Books, after hearing all Parties, I have Sealed his Patent; but for his former Patent of Salt I dare not do it, without acquainting the Council therewith, which I am ready to do, if he require that Courſe to be taken.

If his Majeſty at any time ask touching the Lord *Clifton*'s Buſineſs, I pray your Lordſhip repreſent to his Majeſty thus much, That whatſoever hath paſſed, I thank God, I neither fear him, nor hate him; but I am wonderful careful of the *Seat* of *Juſtice*, that they may ſtill be well munited, being Principal Sinews of his Majeſty's Authority. Therefore the Courſe will be (as I am adviſed) that for this heinous Miſpriſion (that the party without all colour or ſhadow of Cauſe, ſhould threaten the life of his *Judge*, and of the higheſt Judge of the Kingdom next his Majeſty) he be firſt examin'd, and if he confeſs it, then an *Ore tenus*; if he confeſs it not, then an *Information* in the *Star-chamber*, and he to remain where he is till the hearing. But I do purpoſely forbear yet to have him examin'd, till the decree or agreement between him and my Lord *Aubigny* (which is now ready) be perfected, leaſt it ſhould ſeem an oppreſſion by the terror of the one, to beat him down in the other. Thus *I ever reſt*,

York-Houſe, *Jan.* 25. 1617.

Your Lordſhip's true Friend, and devoted Servant.

Fr. Bacon. *Canc.*

I pray

I pray your Lordſhip to pardon me if in reſpect of a little watering in one of mine Eyes, I have written this Letter, being long and private buſineſs in my Secretary's Hand.

CX.

From the Original.

To the KING.

It may pleaſe your moſt Excellent Majeſty,

FInding as well by your Majeſty's Diſpatches and Directions to your *Council*, as now by Speech with Mr. Secretary *Laque*; that your Majeſty is content to be troubled with Buſineſs of ſundry Natures. I thought good according to the Duty of my *Place*, and the neceſſity of the *Occaſion*, to put your Majeſty in mind, that on this day ſennight being *Friday* in the Morning, I am according to cuſtom to give a Charge and Admonition to the *Judges* and Juſtices of Peace now before the *Circuits*; wherein I am humbly to crave your Majeſty's Pleaſure and Directions.

I have for your Majeſty's better eaſe ſet down the Heads, which by the Preſcript of your Book, and out of the conſideration of the preſent times, I have thought fitteſt to be remembred. I have alſo ſent your Majeſty the laſt account of the Judges Circuits, not to trouble you with the reading of them all; but to the end that if upon my Memorial, or otherwiſe out of your Majeſty's own memory, which is above *Memorials*, you ſhould have occaſion to reſort to thoſe Accounts, the Papers may be by you.

The *Point* of greateſt weight in my Opinion, is the carrying of a *Ballanc'd hand* at this time in the matter of *Recuſants*, in regard of the *Treaty* with *Spain*. For it were good in reſpect of your *People*, that there were no Note made, that the String is *relaxed*, and in reſpect of the *Treaty*, that it is not *ſtrained*: And therefore that the proceeding in thoſe Cauſes be rather diligent than ſevere.

I am wonderful glad to hear, that this Extremity of Weather, which I think the *Muſcovite* hath brought with him, hath not touched your Majeſty, whoſe Health and eaſe is far dearer to me, then my life with all the appurtenances. *God* ever preſerve and proſper you.

Your Majeſty will be pleas'd your Anſwer be with me on Thurſday *at Noon, or ſoon after it.*

Your Majeſty's moſt Faithful and moſt Obliged Servant,

Fr. Bacon, *Canc.*

This *Friday* Morning the Sixth of *February*, 1617.

CXI.

From the Original.

To the *Marquis* of *Buckingham.*

My very good Lord.

MR. *Chancellor* of the *Exchequer* hath ſignified to me this day, that yeſterday his Majeſty called him to his Coach, and ſaid to him, that one that had uſed ill ſpeech of me ſhould be called before me, and make his ſubmiſſion to me; and thereupon be called before

before the Council, and receive a ſharp Reprehenſion, and ſo be inlarged. And Mr. *Chancellor* could not tell me who the Perſon was, but after by ſome Letter, he receiv'd from my Lord *Clifton*, and ſpeech with a Man of his, he perceiv'd it was he.

I pray your Lordſhip in humbleneſs to let his Majeſty know, that I little fear the Lord *Clifton*, but I much fear the *Example*, that it will animate *Ruffins* and *Rodomonti* extremely againſt the Seats of Juſtice, (which are his Majeſty's own Seats) yea and againſt all authority and greatneſs, if this paſs without publick Cenſure and Example; It having gone already ſo far as that the Perſon of a Baron hath been committed to the *Tower*. The puniſhment it may pleaſe his Majeſty to remit, and I ſhall not formally but heartily intercede for him, but an Example (ſetting my ſelf aſide) I wiſh for terror of Perſons, that may be more dangerous than he, towards the leaſt Judge of the Kingdom.

Therefore it may pleaſe his Majeſty to ſpeak of it with my ſelf and my *Lord*'s, when he cometh next, and in the mean time, I will command from his Majeſty, the *Maſter* of the *Rolls*, and *Mr. Attorney*, who were appointed by the *Table* to examine him, to ſtay. *God* ever proſper you (*a*).

17 *March*, 1617.

Your Lordſhip's true Friend, and Devoted Servant,

Fr. Bacon, *Canc.*

(*a*) I know not whether there was any Proſecution or no againſt the Lord *Clifton*, or whether it was prevented by the laying of violent hands upon himſelf, in the year enſuing.

CXII.

CXII.

From the Original.

To the Marquis of *Buckingham.*

My very good Lord.

I Pray your Lordſhip to ſignifie to His Majeſty, that I thought it my duty to ſtay at the Seal, a Book of Sir *Francis Stewards*, and Sir *James Averlony*, &c. of 200 *l.* Land in Charge in *Fee-Simple*; My *Reaſons.*

Firſt, It is a Perpetuity and ſo much Rent in Diminution of Revenue certain.

Secondly, The Warrant (as is acknowledg'd) came only from my Lord of *Suffolk*, and not from Mr. *Chancellor.* And yet my Lord was wont to boaſt that ſince he was *Treaſurer*, all Commiſſions and Contracts for Sale of the King's Land were broken off and ceaſed.

Thirdly, The Rate of the Monys paid by the Gentlemen, amounteth but to Thirteen Years Purchaſe, which is a plain Gift of a good Proportion of value.

If His Majeſty now informed, iterate His Mandate, it is done, and I excuſed; but I could wiſh His Majeſty would refer it to the Commiſſioners of the *Treaſury*, how the Gentlemen may be otherwiſe ſatisfied.

I received Yeſter-night a brave account of the Commiſſion of the *Wardes* in *Ireland*; which this one Year is advanced from 200 *l. per Annum* to 4000 *l.* which is Twenty fold multiplied. This I Write for two Reaſons. *Firſt*, Becauſe I glory in it, becauſe it was my Work wholly: Next becauſe His Majeſty may take occaſion by this to look better to the Improvment of his *Wardes* in *England* in due time. *God* ever preſerve and proſper you.

York-Houſe, 27th. *July* 1618.

Your Lordſhips moſt obliged Friend and faythful Servant
Fr. Verulam *Canc.*

CXIII.

CXIII.

From the Original.

To the Marquis of *Buckingham.*

My very good Lord.

I Am very glad to hear of the Honour His Majeſty intendeth to my Noble Lady Your Lordſhips Mother. This amongſt many other things, ſheweth in Your Lordſhip *good Nature*, which is the Root of all Virtues, next Religion. Beſides it doth ſort well in States, when Place and Power do meet, and ſtand not to farre at diſtance. (*a*)

For the paſſing of it by Direction without *Bill* ſigned, it cannot be in Law. So is Mr. *Attorney's* Opinion, and ſo is mine; and therefore there is preſently a Bill ſent with an Indorſement of paſſing it by immediate *Warrant*, and this *Antedate.*

For the *Antedate*, I muſt preſent His Majeſty with my *Caution* and with my *Obedience.*

For the * *Statute* tyeth me from *Antedates*; and indeed the Miſchief is infinite: For by that means the King may grant any Land, *&c.* and take it away a Month hence, and grant it another by an *Antedate.* And ſurely were it Land or the like I would not ſay *Abſit*, or Your Majeſty cannot do it, for a World: Or Your Majeſty is Sworn and I am Sworn; or ſuch brave

18 H. 6th cap. 1.

(*a*) The Advancement of this Lady to the Title of Counteſs of *Buckingham*, was notwithſtanding the Reaſons here alledged, ſo ill reſented by the Houſe of Commons in 1626. That in the 11th. Article of their Impeachment of the Duke & her Son, it was objected againſt him as one of his Offences.

Phraſes,

Phraſes, but ſurely (I ſay) I would in humbleneſs repreſent it to His Majeſty. (*b*)

But the Caſe of Honour differeth: For therein His Majeſty's Prerogative and Declaration is abſolute, and he may make him that is laſt to be firſt. And therefore upon his Majeſty's Signification of his Pleaſure upon the Indorſement of the Bill ſigned, I take it, I may lawfully do it.

I am here rejoycing with my Neighbours the Towns Men of St. *Albans* for this happy day the 5th. of *Auguſt* 1618. (*c*)

Gorhambury.

Your Lordſhips moſt obliged
Friend and faithful Servant

Fr. Verulam *Canc.*

(*b*) By this and the preceding Letter, it appears that as my Lord *Chancellor* thought it his Duty to offer to the King his Reaſons againſt paſſing of a Patent; yet if then the King, who was Judge of the Inconvenience, was pleaſed to command it, he was obliged to allow the ſame. But in thoſe things which were contrary to Law, as it is to be preſumed, that after an humble Repreſentation thereof, no Prince would exact, ſo no Miniſter in ſuch a caſe would yield an Obedience.

(*c*) The 5th of *Auguſt* being the Anniverſary of the King's Deliverance from the Earl of *Gowry's* Conſpiracy, was by ſome called the Court-Holyday, and ridiculed as a Fiction; tho the truth thereof being delivered down by Archbiſhop *Spotswood*, and other good Hiſtorians, I ſee no great reaſon to call it into Queſtion.

CXIV.

CXIV.

From the Original

To the Marquis of Buckingham.

My very good Lord,

I Thank your Lordſhip for your laſt loving Letter. I now write to give the King an account of a *Patent*, I have ſtayed at the Seal. It is of Licence to give in *Mortmain* Eight hundred Pound Land, though it be of *Tenure* in *Chief* to *Allen* that was the *Player*, for an *Hoſpital*. (*a*)

(*a*) That *Allen* the *Player*, who in his Age, founded an Hoſpital at *Dulwich* in *Surry*, had been an excellent Actor of the Comical and Serious Part; will appear evident to any one that ſhall throughly conſider the following Epigram made by that admirable Dramatick Poet *Ben. Johnſon*.

To Mr. Edward Allen.

If *Rome* ſo great, and in her wiſeſt Age,
Fear'd not to boaſt the Glories of her Stage:
As skilful *Roſcius*, and grave *Æſop*, Men
Yet Crown'd with Honours, as with Riches then;
Who had no leſs a Trumpet of their Name,
Then *Cicero*, whoſe every Breath was Fame.
How can ſo great Example die in me?
That, *Allen*, I ſhould pauſe to publiſh thee;
Who both their Graces in thy ſelf haſt more
Outſtrip'd, then they did all that went before.
And preſent worth in all do'ſt ſo contract
As others *ſpeak*, but only thou do'ſt *act*.
Wear this Renown. 'Tis juſt that who did give
So *many Poets* Life, by one ſhould live.

I like well that *Allen* playeth the laſt *Act* of his Life ſo well; but if His Majeſty give way thus to amortize his Tenures, his Courts of *Wards* will decay, which I had well hoped ſhould improve.

But that which moved me chiefly is, that his Majeſty now lately did abſolutely deny Sir *Henry Savile* for 200 *l.* and Sir *Edwin Sandys* for 100 *l.* to the perpetuating of two Lectures, the one in *Oxford*, the other in *Cambridge*, Foundations of ſingular Honour to His Majeſty (the *beſt learned* of *Kings*) and of which there is great want; whereas *Hoſpitals* abound; and Beggars abound never a whit the leſs. (*b*)

If his Majeſty do like to paſs the Book at all; yet if he would be pleas'd to abridge the 800 *l.* to 500 *l.* and then give way to the other two Books for the Univerſity, it were a *Princely* Work. And I would make an humble Suite to the King, and deſire your Lordſhip to joyn in it, that it mought be ſo. *God* ever preſerve and proſper you.

York-Houſe this 18th of *Auguſt* 1618.

Your Lordſhips moſt obliged Friend and faithful Servant

Fr. Verulam *Canc.*

I have Written to my Lord Chamberlain *being* Chancellor *of* Oxford *to help in the buſineſs.*

(*b*) It were to be wiſhed this Obſervation did not hold true in theſe times; For tho' the Foundations of Hoſpitals are to be commended, which Sir *Fra. Bacon* hath done both in this Letter, and other his Writings; Yet it ſhews that ſome more adequate Remedy for ſupporting the Poor, then what ariſes from theſe Charities, or even from the Laws enacted for their Relief, was then, and yet is to be deſired. And as the Defect thereof is no ſmall Reproach to the Government of a Country, happy in its natural Product, and enrich'd by Comerce; ſo it would be an Act of the greateſt Humanity, that the Poor might be provided for, and Beggary and Idleneſs the ſucceſſive Nurſery of Rogues, as far as poſſible, extirpated. And ſince his Majeſty has recommended it to the Parliament from his Throne, with a tenderneſs becoming the Father of his Country, it is to be hoped, that Great Aſſembly, will be able in his Reign to effect ſo good a Work. Upon this occaſion I cannot but take notice of a Story which has been ſpread abroad

CXV.

From the Original

To the Marquis of Buckingham.

My very good Lord,

LOoking for matter of Service, I have found out a Suit for my ſelf; and it is proper for me more then all Men, becauſe it is within the accompt of the *Hamper*. *But I have made a Law to my ſelf, that I will never beg any thing, which ſhall not bring a Gain to the King*. Therefore my Suit is to Farm the profits of the *Alienations*, yielding a Thouſand Pound a Year more to the King then hath been yielded *communibus annis*, by a *Medium* of Seven Years. If the King be pleas'd to grant me this, it will a little warm the *Honour* he hath given me; and I ſhall have a new occaſion to be, as I ever have been, and ſhall be

York-Houſe, 9 *October* 1618.

Your Lordſhips obliged Friend and faithful Servant

Fr. Verulam *Canc.*

broad to the Defamation of Sir *Fra. Bacon* (but upon no good Ground as far as I can judge) as if in the Accompliſhment of the Foundation of the *Chartreux-Hoſpital* begun by Mr. *Sutton*, and carryed on by his Executors, Sir *Francis* who was then the King's *Solicitor*, had, for ſome ill Deſigns of gain to himſelf or others, endeavoured to have defeated the ſame. The Fact whereof was; That the Heir at Law ſuppoſing, that notwithſtanding what Mr. *Sutton* had done in procuring Acts of Parliament, and Patents from the King in order to eſtabliſh this Noble Charity, the greateſt part of his Eſtate was deſcended to him; It was argued on his behalf, by the Solicitor General, and by Mr. *Henry Yelverton*, and Mr. *Walter* Men of great Reputation in thoſe times. And whatever ill Intentions ſome of the Court might have, My Requeſt to the Reader is that before he paſs any Cenſure upon Sir *Fra. Bacon* relating hereunto, he would pleaſe to peruſe his Advice given to the King touching Mr. *Sutton*'s Eſtate, and Publiſhed in the *Reſuſcitatio* pag. 265.

CXVI.

From the Original

To the Marquis of Buckingham.

My very good Lord,

THis Morning Mr. *Attorney* came to me and desired of me many Writs of *Ne exeat regnum* against most of the *Dutch Merchants*, and withal let me understand that there was a Discovery of an infinite Transportation of Gold and Silver out of this Realm, by the said Dutch Merchants, amounting to Millions; and that Sir *John Britten* had made a Book thereof, and presented the same to his Majesty; and further that his Majesty had directed him to Prosecute the same; and had also given Sir *Thomas Vavisor* the forfeiture of such Ten of them as he should choose.

Hereupon I thought it my Duty, as in a matter of great Weight, to signifie to his Majesty by your Lordship, what I conceive.

The Discovery I think very happy. For if it be true, it will be a great benefit to his Majesty: It will also content his People much, and it will demonstrate also that *Scotland* is not the *Leech* (as some Discoursers say) but the *Netherlanders* that suck the Realm of Treasure. So that the thing is very good.

But two things I must represent to his Majesty: The *First*, that if I stay *Merchants* from their Trading by this Writ, I must do it either *ex Officio*, or by special *Warrant* from His *M*ajesty.

If *ex officio*, then I must have more then a bare Surmise, to grant the Writ upon, so as I must be acquainted with the Grounds, or at least apparance of Proofs.

Proofs. If by Special *Warrant*, then I deſire to receive the ſame. The other is that I humbly beſeech his Majeſty that theſe Royal Boughs of Forfeiture may not be Vintaged, or Cropp'd by private Suitors (conſidering his Majeſties State as it is) but that Sir *Thomas Vaviſor* or Sir *John Brittain* may have a bountiful and gracious Reward of their Diſcovery, but not the Prime, or without Stint.

In Sum, I would wiſh his Majeſty to referr the whole buſineſs and carriage of the ſame for his Honour and Profit to the Commiſſioners of *Treaſure*, or becauſe it is a legal Forfeiture to my ſelf, Mr. *Chancellor*, Sir *Edward Coke* and my Lord *Chief Juſtice* of *England*, and by us his Majeſty ſhall be aſſured to know the beſt courſe for his Juſtice, Honour, and Profit, and that he may diſpoſe what Bounty he will. *God* ever preſerve and proſper you.

York Houſe, 19 *October* 1618.

Your Lordſhips moſt obliged Friend and faithful Servant,

Fr. Verulam *Canc.*

CXVII.

From the Original

To the Marquis of Buckingham.

My very good Lord,

THis long Book which I ſend for his Majeſties Signature, was upon a Conference and Conſult, Yeſternight (at which time I was aſſiſted by the two *Chief Juſtices*, and attended by the *Surveyor*, *Attorney*, and

and *Receiver* of the Court of *Wards Fleetwood*) framed and allowed.

It is long, becauſe we all thought fit not to piece new Inſtructions with old Inſtructions, but to reduce both old and new into one Body of Inſtructions. I do not ſee, that of the Articles which are many, any could have been ſpared. They are plain, but they have a good property, that they will take faſt hold. I may not trouble his Majeſty with chuſing ſome of them in particular, when all are good. Onely I think fit to let his Majeſty know of one, which is that according to his own Directions, The Oath of making no private unlawful Profit) is now as well Tranſlated to the Maſter and Officers that may take, as to the Parties and Suitors that may give.

It litle becometh me to poſſeſs his Majeſty that this will be to his Majeſties benefit Ten thouſands yearly or Fifteen thouſands or Twenty thouſands: For theſe Rattles are fitter for *Mountebanks* of *Service*, then *Grave Councellors.* But my Advices (as far as I am able to diſcern) tend or extend but to thus much: This is his Majeſties ſureſt and eaſieſt way for his moſt good.

Sir *Miles Fleetwood*, who both now and heretofore, hath done very good Service in this, meriteth to be particularly from your Lordſhip incouraged; which I beſeech your Lordſhip not to forget. *God* ever proſper you.

This 4th of *December* 1618.

Your Lordſhips moſt faithful bounden Friend and Servant

Fr. Verulam *Canc.*

CXVIII.

CXVIII.

To the KING.

It may pleaſe Your moſt Excellent Majeſty.

I do many times, with gladneſs, and for a remedy of my other Labours, revolve in my mind the great happineſs which God (of his ſingular goodneſs) hath accumulated upon your Majeſty every way; and how compleat the ſame would be, if the ſtate of your means were once rectified, and well ordered. Your *People* Military and Obedient, fit for War, uſed to Peace; Your *Church* illightened with good Preachers, as an Heaven of Stars; Your *Judges* learned, and learning from you, Juſt, and juſt by your Example: Your *Nobility* in a right diſtance between Crown and People, no Oppreſſors of the People, no over-ſhadowers of the Crown; Your *Council* full of Tributes of Care, Faith and Freedom; Your *Gentlemen* and *Juſtices* of *Peace* willing to apply your Royal Mandates to the nature of their ſeveral Countyes, but ready to obey; your *Servants* in awe of your Wiſdom, in hope of your Goodneſs: The *Fields* growing every day, by the improvement and recovery of Grounds from the Deſert to the Garden; The *City* Grown from Wood to Brick; Your *Sea Walls* or *Pomærium* of your Iſland, Surveyed, and in Edifying; Your *Merchants* embracing the whole Compaſs of the World Eaſt, Weſt, North, and South; The Times give you Peace, and yet offer you opertunities of Action abroad: And laſtly your Excellent *Royal Iſſue* entaileth theſe Bleſſings and Favours of God to deſcend to all Poſterity. It reſteth therefore, that God

God having done ſo great things for Your Majeſty and you for others; you would do ſo much for your ſelf, as to go through (according to your beginnings) with the rectifying and ſetling of your Eſtate and Means, which only is wanting; *Hoc rebus deſuit unum.* I therefore whom only Love and Duty to your Majeſty, and your Royal Line hath made a *Financier*, do intend to preſent unto your Majeſty a perfect Book of your *Eſtate* like a Perſpective Glaſs, to draw your Eſtate nearer to your ſight; beſeeching your Majeſty to conceive, that if I have not attained to do, that I would do, in this which is not proper for me, nor in my Element, I ſhall make Your Majeſty amends in ſome other thing, in which I am better bred. God ever preſerve, *&c.*

Jan. 2*d.* 1618.

CXIX.

From the Original

To the Marquis of Buckingham.

My very good Lord,

I Send His Majeſty a Volume of my Lord of *Bangors* and my Lord *Sheffield*, whereof I ſpake when I left his Majeſty at *Theobaldes*. His Majeſty may be pleas'd at his own good time and pleaſure, to caſt his Eye upon it. I purpoſe at my coming to *London* to conferr with the chief Juſtice as his Majeſty appointed; And to put the buſineſs of the *Purſevants* in a way, which I think will be beſt by a Commiſſion of *Oyer* and *Terminer*; for the *Star Chamber* (without Confeſſion) is *long Seas*. I ſhould adviſe that this point of the Purſe-

vants

vants were not ſingle, but that it be coupled in the Commiſſion with the Offences of Keepers of Priſons hereabouts, it hath a great Affinity; for *Purſevants* are but Ambulatory Keepers, and it works upon the ſame Party (of the Papiſts.) And it is that wherein many of his Majeſties and the *Councils* ſevere Charges, have been hitherto Unfruitful: and it doth a great deal of miſchief. I have ſome other Reaſons for it. But of this it will be fitteſt, to advertize more particularly, what I have reſolved of on Advice, upon Conference with the *Chief Juſtice*. I am wonderful glad to hear of the King's good health. God preſerve His Majeſty and Your Lordſhip. I ever reſt

Gorhambury this laſt of *July*, 1619.

Your Lordſhips moſt obliged Friend and faithful Servant

Fr. Verulam *Canc.*

CXX.

From the Original

To the Marquis of Buckingham.

My very good Lord,

I Think it my Duty to let his Majeſty know what I find in this Cauſe of the *Ore tenus*. For as his Majeſty hath good Experience, that when his buſineſs comes upon the *Stage*, I carry it with *Strength* and *Reſolution*, ſo in the *Proceedings* I love to be *wary* and *conſiderate*.

I wrote to Your Lordſhip by my laſt, that I hoped by the care I had taken, the buſineſs would go well, but without that care I was ſure it would not go well. This I meant becauſe I had had Conference with the two chief Juſtices, Sir *Edward Cooke* being preſent, and handled the Matter ſo, that not without much ado, I left both the chief Juſtices firm to the Cauſe and ſatisfied.

But calling to mind that in the main buſineſs, notwithſtanding I and the chief Juſtices went one way, yet the day was not good (and I ſhould be loth to ſee more of ſuch days) I am not without ſome apprehenſion. For though we have Sir *Edward Cooke* earneſt and forward, inſomuch as he adviſed the *Ore tenus*, before I knew it at *Wanſted*, and now bound the *Dutchmen* over to the Starr-Chamber, before I was made Privy; unto both which Proceedings I did nevertheleſs give approbation: Yet if there ſhould be either the major part of the Votes the other way, or any main Diſtraction, though we bear it through, I ſhould think it a matter full of Inconvenience. But that which gives me moſt to think, is the Carriage of Mr. *Attorney*, which ſorteth neither with the buſineſs, nor with himſelf: For as I hear from divers and partly perceive, he is fallen from earneſt to be cool and faint. Which weakneſs, if it ſhould make the like alteration at the Barre, it mought overthrow the Cauſe. All the remedy which is in my power, is by the advice of the Judges to draw ſome other of the learned *Counſell* to his help, which he I know is unwilling with, but that is all one.

This I thought it neceſſary to write, leſt the King ſhould think me aſleep, and becauſe I know that his Majeſties Judgment, is far better then mine. But I for my part mean to go on roundly and ſo I ever reſt,

9th *October* 1619.

Your Lordſhips moſt obliged Friend and faithful Servant.

Fr. Verulam *Canc.*

If the King in his great Wiſdom, ſhould any ways incline to have the *Ore tenus* put off, then the way were to command, that the matter of the *Ore tenus* ſhould be given in Evidence, by way of Aggravation in the main Cauſe. And it is true, that if this Precuſory matter goeth well, it giveth great entrance into the main Cauſe; if ill, contrariwiſe, it will do hurt and diſadvantage to the main.

CXXI.

From the Original.

To the Marquis of Buckingham.

My very good Lord,

THeſe things which I write now and heretofore in this Cauſe; I do not write, ſo as any can take knowledg, that I write, but I diſpatch things *ex officio* here, and yet think it fit inwardly to advertize the King, what doth occurre. And I do aſſure your Lordſhip, that if I did ſerve any King, whom I did not think farre away wiſer, then my ſelf, I would not write in the mid'ſt of buſineſs, but go on of my ſelf.

This Morning, notwithſtanding my ſpeech yeſterday with the * *Duke*, he delivered this Letter incloſed, and I having cleared the Room of all ſave the Cout, and learned Counſel (whom I required to ſtay) the Letter was read, a little before our hour of ſitting. When it was read, Mr. *Attorney* began to move, that my *Lord* ſhould not acknowledge his offences, as he conceived he had committed them, but as they were charged; and ſome of the Lords ſpeaking to that point, I thought fit to interrupt and divert that kind of queſtion; And ſaid, before we conſider'd of the extent of my Lords

* Of *Lenox*

Submiſſion, we were firſt to conſider of the extent of our own *Duty* and *Power*; For that I conceived it was neither fit for us to ſtay proceeding, nor to move his Majeſty in that which was before us in courſe of Juſtice. Unto which (being once propounded by me) all the Lords and the reſt *unâ voce* aſſented. I would not ſo much as aske the queſtion, whether though we proceeded, I ſhould ſend the Letter to his Majeſty, becauſe I would not ſtreighten his Majeſty in any thing.

The Evidence went well (I will not ſay I ſometime holp it, as far as was fit for a Judge) and at the ariſing of the Court, I moved their Lordſhips openly, whether they would not continue this Cauſe from day to day, till it were ended; which they thought not fit in regard of the general Juſtice, which would be delayed in all Courts. Yet afterwards within I prevailed ſo far, as we have appointed to ſit Wedneſday, Thurſday and Fryday, and to ſit by eight of the Clock, and ſo to diſpatch it before the King come, if we can. God preſerve and proſper you.

I ever reſt

This 22th. of *October Friday* at 4 of the Clock, 1619.

Your Lordſhips moſt obliged Friend and faithful Servant,

Fr. Verulam *Canc.*

CXXII.

To the Marquis of Buckingham.

My very good Lord,

MY Lord of *Suffolk's* Cauſe is this day ſentenced. My *Lord* and his *Lady* fined at 30000 *l.* with Impriſonment in the Tower at their own charges. *Bingley*

ley at 2000 *l.* and committed to the Fleet. Sir *Edward Cooke* did his part, I have not heard him do better, and began with a fine of an 100000 *l.* but the Judges firſt and moſt of the reſt reduced it as before. I do not diſlike that things paſſed moderately, and all things conſidered it is not amiſs, and might eaſily have been worſe.

There was much ſpeaking of interceding for the Kings mercy, which in my Opinion, was not ſo proper for a Sentence. I ſaid in concluſion that mercy was to come *ex mero motu*, and ſo left it: I took ſome other occaſion pertinent to do the King Honour by ſhewing how happy he was in all other parts of his Government, ſave only in the manage of his Treaſure by theſe Officers.

I have ſent the King a new Bill for *Suſſex*, for my Lord of *Nottinghams* Certificate was true, and I told the Judges of it before, but they neglected it. I conceive the firſt Man, which is newly ſet down, is the fitteſt.

God ever preſerve and keep you, *&c.*

13 *November* 1619.

CXXIII.

From the Original

To the Marquis of Buckingham.

My very good Lord,

I Do not love to interlope by Writing in the mid'ſt of buſineſs. But becauſe his Majeſty commanded me to acquaint him with any Occurrence which mought croſs the way; I have thought fit to let his Majeſty know what hath paſſed this day. This

This day (which was the day ſet down) the great Cauſe of the *Dutchmen* was enter'd into. The Pleading being open'd, and the Caſe ſtated by the Counſel; the Counſel of the Defendants made a motion to have certain Examinations taken concerning the old Defendants ſuppreſſed, becauſe they were taken ſince the laſt hearing.

I ſet the buſineſs in a good way, and ſhewed they were but ſupplemental, and that at the laſt hearing, there were ſome things extrajudicial alledged * *ad Infimandum Conſcientiam Judicis*, and therefore there was more reaſon theſe ſhould be uſed † *ad Informandum Conſcientiam Judicis*, and that there was order for it. The *Order* was read, and approved both by the Court, and the Defendants own Counſel; but it was alledged, that the Order was not enter'd time enough, whereby the Defendants mought likewiſe examine, wherein certainly there was ſome ſlip or forgetfulneſs in Mr. *Attorney* or *Britten* that followed it, which I wiſh had been otherwiſe, yet it went fair out of the Court.

* To the perverting of the Judges Conſcience.

† To the directing of the Judges Conſcience.

But after Dinner my *Lords* were troubled with it, and after much diſpute, we have agreed to confer ſilently, and *ſine Strepitu* to morrow and ſet all ſtreight, calling the Judges, and the Learned Counſel, with whom I have ſpoken this Evening, I think, to good purpoſe. For in good faith I am fain to be * *Omnibus Omnia* as St. *Paul* ſaith, to ſet forward his Majeſties Service.

* All things to all men.

I diſcern a kind of Inclination to take hold of all Accidents to put off the Cauſe, whereunto neither I ſhall give way, nor I hope his Majeſty; To morrow, if cauſe be, I ſhall write more, but I hope all ſhall be well, I ever reſt.

Friday night, 19th. *November* 1619.

Your Lordſhip's moſt obliged Friend and faithful Servant,
Fr. Verulam *Canc.*

CXXIV.

From the Original

To the Marquis of Buckingham.

My very good Lord,

I Have conferred with Sir *Lyonel Cranfield* according to his Majeſties ſpecial commandment, touching two points of value, for the Advancement (the one preſent, the other ſpeedy) of his Majeſties Revenue.

The *Firſt* is of the *Corans*, to reſtore the Impoſition of five Shillings ſix Pence, laid in the late *Queens* time, and drawn down unduly to ſerve private turns to Three ſhillings Four pence; which will amount to above Three thouſand Pounds yearly increaſe.

The *other* is, of the *Tobacco* for which there is offer'd 2000 *l.* increaſe yearly, to begin at *Michaelmas* next, as it now is, and 3000 *l.* increaſe, if the Plantations of Tobacco, here within land be reſtrained,

I approve in mine own Judgment both Propoſitions, with theſe Cautions. That for the Firſt the Farmers of the *Corans* do by Inſtrument under their Seal relinquiſh to the King all their claim thereto, by any general words, of their Patent. And for the ſecond that the Bargain be concluded, and made before the Proclamation go forth; wherein perhaps there will occur ſome doubt in Law, becauſe it reſtraineth the Subject in the Imployment of his Freehold at his liberty. But being ſo many ways * *pro bono publico* I think it good enough.

* For the publick good.

His Majeſty may therefore be pleaſed to write his Letter to the Commiſſioners of the *Treaſury*, ſignifying his Majeſties pleaſure directly in both points, to have them done, and leaving to us the conſideration *de Modo*.

God ever proſper you. *I reſt*

22 November 1619. *Your Lordſhips moſt obliged Friend and faithful Servant*,

Fr. Verulam *Canc.*

CXXV.

From the Original.

To the KING.

May it pleaſe your moſt Excellent Majeſty,

ACcording to your Commandment, we met together yeſterday at *Whitehall*, and there conſulted what courſe were fitteſt to be taken now in this Buſineſs of your Majeſty's *Attorney* General, both for the ſatisfying your own Honour, as alſo for calling in the late exorbitant *Charter* of the *City*; which are the two ends, as we conceive, that your Majeſty propos'd unto your ſelf.

To effect both which, we humbly preſume to preſent thus much unto your Majeſty as our Opinion. Firſt, That an *Information* be put into the *Star-chamber*, as we formerly adviſed, againſt your *Attorney* as Delinquent, againſt the *Mayor*, &c. as intereſſed, and againſt the *Recorder* alſo mixtly with ſome Touch of Charge.

That the Submiſſion by Letter offer'd by Mr. *Attorney* is no way ſatisfactory for your Majeſty's Honour, but is to be of Record by way of Anſwer, and deduced to more Particulars.

That any Submiſſion or Surrender of the *Patents* by the City, ſhould be alſo of Record in their Anſwer; and no other can be receiv'd with your Majeſty's Honour, but by Anſwer in Court: The ſame to come meerly of themſelves, without any motion on your Majeſty's behalf, directly or indirectly; which being done in this Form, it will be afterwards in your Majeſty's Choice

Choice and Pleaſure to uſe Mercy, and to ſuſpend any farther Proceedings againſt your Attorney.

That it is of neceſſity as well for the putting in of this Information, as for your Majeſty's other urgent and Publick Services in that and other Courts, to have a *Sequeſtration* preſently of your *Attorney*, and a Proviſional Commiſſion to ſome other during your Majeſty's Pleaſure to execute that Charge. For both which Inſtruments Legal ſhall be provided as ſoon as your Majeſty's Pleaſure is known. To which we humbly and dutifully ſubmit our Advice, and Opinion, beſeeching God to bleſs your Majeſty's Sacred Perſon with continuance and encreaſe of much Health and Happineſs. Wherewith humbly kiſſing your Royal Hands, We reſt,

At your Majeſty's *Palace* of *Whitehall*, 16 *June* 1620.

Your Majeſty's moſt humble, and Faithful Subjects and Servants,

Fr. Verulam, *Canc.* T. Arundel, Robert Naunton, Geo. Calvert, Jul. Cæſar, Edw. Coke.

CXXVI.

From the Original.

To the *Marquis* of *Buckingham.*

My very good Lord,

I Have lately certified his Majeſty on the behalf of Sir *George Chaworth*, by Secretary *Calvert*, touching the place of a *Remembrancer* in the *Chancery* for ſetting down of Cauſes. And becauſe the Gentleman

telleth me, the King thought my Certificate a little doubtful; He desired me to write to your Lordship, touching my approbation more plainly. It is true, that I conceive it to be a good business, and will be for the *Service* of the *Court*, and *ease* of the *Subject*; I will look it shall be accompanied with good *Cautions*.

We ruffle over Business here in Council apace, and I think to reasonable good purpose. By my next I will write of some fit Particulars. I ever rest,

21 June 1620. *Your most Obliged Friend and Faithful Servant,*

Fr. Verulam, *Canc.*

CXXVII.

From the Original.

To the Marquis of Buckingham.

My very Good Lord,

YEsterday I called unto Us the Two *Chief Justices* and Serjeant *Crewe* about the *Parliament* Business. To call more Judges I thought not good. It would be little to assistance, much to Secrecy: The distribution of the Business we made was into *four* parts.

First, the perusing of the former *Grievance*, and of things of like nature which have comen since.

2*dly*, The Consideration of a *Proclamation* with the Clauses thereof, especially touching *Elections*, which Clauses nevertheless we are of opinion should be rather *Monitory* than *Exclusive*.

3*dly*, The

3*dly*, The *Incluſive*: That is to ſay, what perſons were fit to be of the Houſe, tending to make a ſufficient and well compoſed Houſe of the ableſt Men of the Kingdom, fit to be adviſed with *Circa ardua regni*, as the ſtyle of the *Writs* goeth, according to the *pure* and *true Inſtitution* of a *Parliament*; and of the means to place ſuch Perſons without Novelty or much Obſervation. For this purpoſe we made ſome Liſts of Names of the Prime Counſellors, and Principal Stateſmen or Courtiers; of the graveſt or wiſeſt Lawyers; of the moſt reſpected and beſt temper'd Knights and Gentlemen of the County. And here *Obiter* we did not forget to conſider who were the *Bouteſeus* of the laſt Seſſion, how many of them are dead, how many reduced, and how many remain, and what were fit to be done concerning them.

4*thly*, The having ready of ſome *Commonwealth Bills*, that may add reſpect and acknowledgment of the King's care; not wooing Bills to make the King, and his Graces cheap; but good matter to ſet them on work, that an empty Stomack do not feed upon Humor.

Of theſe four Points, that which concerneth Perſons is not ſo fit to be Communicated with the Council-Table, but to be kept within fewer hands. The other three may when they are ripe.

Mean while I thought good to give his Majeſty an account what is done, and in doing, humbly craving his Direction if any thing be to be alter'd or added; though it may be our ſelves ſhall have ſecond thoughts, this being but the Reſult of our firſt meeting.

The *State* of his Majeſty's *Treaſure* ſtill maketh me ſad; and I am ſorry I was not at *Theobalds* to report it, or that it was not done by my Fellows: It is moſt neceſſarily we do it faithfully and freely. For to flatter in

this were to betray his Majeſty with a kiſs. I humbly pray his Majeſty to think of my former counſel, and this I will promiſe that whomſoever his Majeſty ſhall make *Treaſurer*, if his Majeſty ſhall direct him to have relation to my advice, I will continue the ſame care and advice I do now, and much more chearfully when I ſhall perceive, that my *Propoſitions* ſhall not be * *Literæ Scriptæ in Glacie.*

* Like Letters written in Ice.

Mean while to keep the *Commiſſion* in doing of ſomewhat worth the doing. It may pleaſe his Majeſty to take knowledge that upon our Report, we had agreed to make Remonſtrance to him, that we thought *Ireland* mought (if his Majeſty leave it to our care) be brought by divers good Expedients to bear their own charge; and therefore his Majeſty may be pleas'd by his Commandment to ſet us in hand with it out of hand. God ever proſper you.

7 Octob. 1620. *Your Lordſhip's moſt Obliged Friend and Faithful Servant,*

Fr. Verulam, *Canc.*

CXXVIII.

This Letter was Written with the King's own Hand, to my Lord Chancellor Verulam, *upon his Lordſhip's ſending to his Majeſty his* Novum Organum.

My Lord,

I Have received your Letter, and your *Book*, than the which, you could not have ſent a more acceptable Preſent unto me. How thankful I am for it, cannot better

better be expreſſed by me, than by a firm reſolution, I have taken; Firſt to read it through, with care and attention, though I ſhould ſteal ſome hours from my ſleep. Having otherwiſe, as little ſpare-time to read it, as you had to write it. And then to uſe the liberty of a true Friend, in not ſparing to ask you the Queſtion, in any point, whereof I ſhall ſtand in doubt: * *(Nam ejus eſt explicare, cujus eſt condere;)* As, on the other part, I will willingly give a due Commendation to ſuch places, as in my opinion, ſhall deſerve it. In the mean time, I can with comfort aſſure you, that you could not have made choice of a Subject more befitting your *Place*, and your *Univerſal* and *Methodical Knowledge*: And in the General, I have already obſerved, that you jump with me, in keeping the mid way, between the two Extremes; as alſo in ſome Particulars, I have found that you agree fully with my Opinion. And ſo praying *God*, to give your *Work*, as good ſucceſs, as your heart can wiſh, and your Labours deſerve, I bid you heartily Farewell.

* For the Author is the beſt Interpreter.

Octob. 16. 1620. *James* R.

CXXIX.

To Sir Henry Wotton. (*a*)

My very Good Couſin,

THE Letter which I receiv'd from your *Lordſhip* upon your going to Sea, was more than a Compenſation for any former Omiſſion; and I ſhall be very glad

(*a*) When this Letter, together with the other two next before and after it, were written upon the occaſion of my Lord *Chancellor*'s Publiſhing his *Novum Organum*; Sir *Henry Wotton*, ſo Eminent for his many Embaſſies, great Learning, Candor, and other Accompliſhments, was Reſident at

glad to entertain a Correſpondence with you, in both kinds, which you write of: For the latter, I am now ready for you, having ſent you ſome *Ore* of that *Mine*. I thank you for your Favours to Mr. *Meautys*, and I pray continue the ſame. So wiſhing you out of your Honourable Exile, and placed in a better *Orbe*, I reſt,

York-Houſe, 20 *Octob.* 1620.

Your Lordſhip's affectionate Kinſman, and aſſured Friend,

Fr. Verulam, *Canc.*

at *Vienna*, endeavouring to quench that Fire which began to blaze in *Germany*, upon the Proclaiming the Elector *Palatine* King of *Bohemia*. How grateful a Preſent this Book was to Sir *Henry*, cannot better be expreſſed than by his anſwer to this Letter; which tho' it may be found in his *Remains*, I hope the Reader will not be diſpleas'd to ſee part of it Tranſcribed in this Place.

Right Honourable and my very Good Lord,

I Have your Lordſhip's Letters dated the 20th of *October*, and I have withall by the care of my Couſin *Meautys*, and by your own ſpecial Favour three Copies of that *Work*, wherewith your Lordſhip hath done a great and ever-living Benefit to all the *Children* of *Nature*, and to *Nature* her ſelf in her uttermoſt extent and Latitude: Who never before had ſo Noble nor ſo true an *Interpreter*, or (as I am readier to ſtyle your Lordſhip) never ſo inward a *Secretary* of her *Cabinet*. But of your ſaid Work (which came but this Week to my Hands) I ſhall find occaſion to ſpeak more hereafter; Having yet read onely the Firſt Book thereof, and a few *Aphoriſms* of the Second. For it is not a Banquet that Men may ſuperficially Taſt, and put up the reſt in their Pockets; but in truth a ſolid Feaſt, which requireth due Maſtication.——*And ſo on.*

But I am gone further than I meant in ſpeaking of this Excellent Labour, while the Delight yet I feel, and even the Pride that I take in a certain Congeniality (as I may term it) with your Lordſhip's Studies, will ſcant let me ceaſe. And indeed I owe your Lordſhip even by promiſe, (which you are pleas'd to remember, and thereby doubly binding me) ſome trouble this way; I mean by the Commerce of *Philoſophical Experiments*, which ſurely, of all other, is the moſt ingenuous Traffick.

CXXX.

CXXX.

A Letter from the Lord *Chancellor Verulam* to the Univerſity of *Cambridge* upon ſending to their Publick Library his *Novum Organum*, to which this Letter written with his own Hand is affixed.

Almæ Matri Academiæ *Cantabrigienſi.*

CUM veſter Filius ſim & Alumnus, voluptati mihi erit, Partum meum nuper editum vobis in Gremium dare: Aliter enim velut pro Expoſito eum haberem. Nec vos moveat, quod via nova ſit. *Neceſſe eſt enim talia per Ætatum & Seculorum Circuitus evenire.* Antiquis *tamen ſuus conſtat Honos*; Ingenii *ſcilicet*: *Nam* Fides *verbo* Dei *&* Experientiæ *tantùm debetur. Scientias autem ad Experientiam retrahere, non Conceditur*: *At, eaſdem ab Experientiâ de integro excitare, Operoſum certè, ſed Pervium. Deus vobis & Studiis veſtris Faveat.*

Ex Ædibus Eborac.
3mo *Octob.* 1620.

Filius veſter Amantiſſimus,

Franc. Verulam, Canc.

CXXXI.

CXXXI.

From the Original.

To the *Marquis* of *Buckingham.*

My very good Lord.

I ſend his Majeſty a Form of a *Proclamation* for the *Parliament*, which I thought fit to offer firſt to his Majeſty's peruſal, before I acquainted the *Council.*

For that part which concerneth the *Foreign* Buſineſs, his Majeſty will graciouſly conſider, how eaſy it is for me to miſtake, or not to attain; which his Majeſty in his Wiſdom will pardon, correct, and direct.

For that part touching the *Elections*, I have communicated it with my Collegues, Sir *Edward Coke*, the Two *Chief Juſtices*, and Serjeant *Crew*, who approve it well; and we are all of opinion, that it is not good to have it more peremptory, more particular, nor more ſharp.

We are thinking of ſome *Commonwealth Laws*, amongſt which I would have one ſpecial for the *Maintenance of the Navy*, as well to give occaſion to publiſh (to his Majeſty's Honour) what hath been already done; as, to ſpeak plainly, to do your Lordſhip's Honour in the ſecond place; and beſides, it is agreeable to the *Times.* God ever proſper you.

18 *Octob.* 1620.

Your Lordſhip's moſt obliged
Friend and faithful Servant,

Fr. Verulam *Canc.*

CXXXII.

CXXXII.

From the Original.

Draught of a Proclamation *for a* Parliament, *referred to in the preceding Letter.*

AS in our princely Judgement, we hold nothing more worthy of a *Chriſtian Monarch*, than the *Conſervation* of *Peace* at home and abroad; whereby Effuſion of Chriſtian Blood, and other Calamities of War, are avoided, Trade is kept open, Laws and Juſtice retain their due vigor and play, Arts and Sciences flouriſh, Subjects are leſs burthened with Taxes and Tallages, and infinite other benefits redound to the ſtate of a Common-weale: So in our own Practice, we ſuppoſe there hath been ſeldom any King, that hath given more expreſs Teſtimonies and real Pledges of this deſire to have Peace conſerved, then we have done in the whole courſe of our Regiment.

For neither have we, for that which concerns our ſelves, been ready to apprehend or imbrace any occaſions or opportunities, of making *War* upon our Neighbours; Neither have we omitted, for that which may concern the States abroad, any good Office or royal Endeavour, for the quenching of the Sparkes of troubles and diſcords, in Forreign Parts. Wherein as we have been always ready and willing; ſo we wiſh, that we had been always as happy and prevailing in our Advices and Counſels, that tended to that end.

And yet do we not forget, that God hath put into our hands a *Sceptre* over Populous and Warlike Nations, which mought have moved us, to ſecond the Affection and Diſpoſition of our People, and to have

wrought upon it, for our own Ambition, if we had been ſo minded. But it hath ſufficed unto us, to ſeek a *true* and not *ſwelling* Greatneſs, in the *Plantations* and Improvements, of ſuch Part of our Dominions, as have in former times been more deſolate or uncivil, and in the maintaining of all our loving Subjects in general, in Tranquility and Security, and the other Conditions of good Government, and happy Times. But amongſt other Demonſtrations, of our conſtant purpoſe, and provident care, to maintain Peace; There was never ſuch a Tryal, nor ſo apparent to the World (as in a *Theatre*) as our perſiſting in the ſame Reſolution, ſince the time that our dear Son in Law, was elected and accepted *King* of *Bohemia*; by how much the Motives tending to ſhake and aſſaile our ſaid Reſolution were the more forcible. For neither did the Glory of having our deareſt Daughter and Son in Law to wear a Crown; Nor the extreme alacrity of our People devoted to that Cauſe; nor the Repreſentations, which mought be ſet before us of Dangers (if we ſhould ſuffer a *Partie* in *Chriſtendom*, held commonly adverſe and ill affected to our State and Government, to gather further Reputation and Strength) tranſport us, to enter into an Auxiliary War, in proſequution of that Quarrel: But Contrariwiſe finding the Juſtice of the Cauſe, not ſo clear, as that we could be preſently therein ſatisfied; and weighing with our ſelves likewiſe, that if the Kingdom of *Bohemia* had continued in the houſe of *Auſtria*; yet nevertheleſs, the *Ballance* of *Chriſtendom* had ſtood in no other ſort then it had done for many Years before, without increaſe of Partie; and chiefly fearing that the Wars in thoſe Parts of *Germany*, which have been hitherto the Bulwark of Chriſtendom, againſt the approaches of the *Turk*, mought by the Inteſtine Diſſentions, allure and let in the Common Enemy; We did

did abſtain to declare, or engage our ſelves in that War; and were contented only to give Permiſſion to the Ambaſſadour of our Son in Law, to draw ſome *Voluntary* helps of *Men* and *Money* from our Subjects, being a Matter that violated no Treaty, and could not be denied in caſe of ſo near a Conjunction.

But, while we contained our ſelves in this Moderation, we find the Event of War, hath much altered the Caſe, by the late Invaſion of the *Palatinate*, whereby (howſoever under the prefence of a Diverſion) we find our Son in Fact, expulſed in Part, and in danger to be totally diſpoſſeſſed of his *Antient* Inheritance and Patrimony, ſo long continued in that *Noble Line*; whereof we cannot but highly reſent, if it ſhould be alienated, and raviſhed from him, in our times, and to the prejudice of our Grand-Children and Line-Royal. Neither can we think it ſafe, for us in reaſon of State, That the *Countie Palatine*, carrying with it ſelf an *Electorate*, and having been ſo long in the hands of Princes of our Religion, and no way depending upon the Houſe of *Auſtria*, ſhould now become at the diſpoſing of that Houſe; being a Matter, that indeed mought alter the Ballance of Criſtendom importantly, to the weakening of our Eſtate, and the Eſtate of our beſt Friends and Confederates.

Wherefore, finding a Concurrence of Reaſons and Reſpects of *Religion*, *Nature*, *Honour*, and *Eſtate*; all of them inducing us, in no wiſe to indure ſo great an Alteration: We are reſolved to imploy the uttermoſt of our Forces and Means, to recover and reſettle the ſaid *Palatinate* to our Son, and our Deſcendents, purpoſing nevertheleſs, according to our former Inclination ſo well Grounded, not altogether to intermit (if the Occaſions give us leave) the Treaties of Peace and Accord, which we have already begun, and whereof

the coming on of the Winter, and the Counterpoiſe of the Actions of War, hitherto may give us, as yet ſome appearance of hope.

I pray God this hold.

But, forasmuch as it were great improvidence, to depend upon the ſucceſs of ſuch Treaties, and therefore good Policy requires, that we ſhould be prepared for a War, which we intend for the recovery and aſſuring of the ſaid *Palatinate*, with the Dependances, (a Deſign of no ſmall Charge and Difficulty, the Strength and Conjunctures of the adverſe Party conſidered) We have thought good to take into our princely and ſerious Conſideration (and that with ſpeed) all things that may have Relation to ſuch a Deſignment; amongſt which, we hold nothing more neceſſary than to confer and adviſe with the Common-*Council* of our *Kingdom*, upon this ſo important a *Subject*.

For although the making of *War* or *Peace*, be a ſecret of *Empire*, and a thing properly belonging to our high Prerogative Royal, and Imperial Power (*a*); yet nevertheleſs, in Cauſes of that Nature, which we

(*a*) That the making of *War* or *Peace*, was a *Prerogative* belonging to the Crown of *England*, has been an Opinion ſo received, that it ſeems to have been raiſed upon a better Foundation, than that of *Court Flattery*. But ſeeing, that in the Debates between King *Charles* I. and the Parliament touching the *Militia*, It was by a Gentleman of the *Robe*, and others aſſerted, to be lodged in the King and Parliament, and that there were many Preſidents, to prove, that the Kings had adviſed with them about their Foreign Wars; and that very lately, a Doctor of the *Civil Law*, hath in an *Eſſay* upon this Subject, produced many Inſtances from the Records to the ſame purpoſe, and ſome others as if Lords and Commons ought to be conſulted therein: I ſhall not pretend to affirm this Poſition, without ſome Reſtrictions. Yet thus much I muſt needs ſay in Juſtification of my Lord *Verulam*, That in the Difference, ariſing in the enſuing Parliament, upon this very Matter, the Commons in their *Petition* admit of the ſame. For upon the King's Reſentment of their adviſing him to recover the *Palatinate* by War, and in what manner to make it, to break off the *Treaties* with *Spain*, particularly that of Marriage for the *Prince*. It is thus declared, *In the Diſcourſe whereof we did not aſſume to our ſelves, any Power, to determine of any part thereof, nor intend to intrude upon* the

we ſhall think fit not to reſerve, but to communicate: We ſhall ever think our ſelves much aſſiſted and ſtrengthned, by the faithful Advice, and general Aſſent of our loving Subjects.

Moreover, No Man is ſo ignorant, as to expect that we ſhould be any ways able (Money's being the Sinews of War) to enter into the Liſt againſt ſo great Potentates, without ſome large and bountiful help of *Treaſure* from our People; as well towards the Maintenance of the War, as towards the relief of our Crown and Eſtate. And this the rather, for that we have now, by the ſpace of full Ten years (a thing unheard of in late times) ſubſiſted by our own Means, without being chargeable to our People, otherwiſe than by ſome

the Sacred Bounds of your Royal Authority; to whom, and to whom only, we acknowledge, it doth belong to reſolve of Peace and War, and the Marriage of the Prince, &c. But hereupon, this Gentleman, in his *Eſſay*, diſtinguiſhes between the *Royal Authority*, as derived from the *Law*, and the *Prerogative*, which *pag.* 205. 220. he ſays, is of a higher Nature, and ſomething above the *Law*; by which the King is enabled to act in ſome caſes where the Law is ſilent, and in others ariſing upon great Emergencies, ſuch as the deſtroying of a Frontier County, in caſe of Invaſions, *&c.* And ſo concludes, That this Power of making War and Peace, is in the King, by Vertue of his Royal Authority, as part of the Executive Power, and not by his Prerogative. Whereas my Lord *Coke*, does affirm in his *Inſtitutes*, and other Lawyers alſo, That the *Prerogative* is *part* of the *Common-Law*, and therefore not above it: So that this ſeems to be a diſtinction without a difference: But however, if the ancient Engliſh Kings (who by Vertue of their *Military Tenures*, eſpecially that of *Eſcuage*, could command the Attendance of many of their Subjects, for a time unto their Foreign Wars; and by their large *Demeſnes*, could better ſubſiſt themſelves therein, without the Ayd of their People) did either in Juſtice or Prudence reſort to them, both for Advice and Supplies: It can hardly be thought, that any Modern Prince of himſelf, will undertake a War, which he cannot well Proſecute without the aſſiſtance of his Parliament. But that it may be convenient to treat of a Peace in ſome Caſes, without their approbation, I ſuppoſe will not be denied.

After what I had hitherto Written, was ſent to the Preſs, there fell into my hands a little Treatiſe in Manuſcript, Compoſed by Sir *Robert Cotton*, and which I preſume is Printed among his Poſthumous Works. The *Title* whereof, I was willing to inſert, becauſe it does in ſome meaſure, declare the Opinion of that Judicious Antiquary in this Matter, *viz.* That the *Kings* of *England* have been pleaſed, uſually to conſult of *Marriage*, *Peace* and *War*, with their Peers, and Commons in Parliament.

Vo-

Voluntary Guifts of ſome Particulars; which though in Total, amounted to no great Matter, we thankfully acknowledge at their Hands: But, as, while the Affairs abroad, were in greater Calme, we did content our ſelves, to recover our wants, by provident *Retrenchment* of *Charge*, and honourable Improvment of our own, thinking to wear them out, without troubling our People; ſo in ſuch a State of Chriſtendom, as ſeemeth now to hang over our Heads, we durſt no longer rely upon thoſe ſlow Remedies, but thought neceſſary (according to the antient courſe of our Progenitors) to reſort to the good Affections and Aydes of our loving Subjects.

Upon theſe *Conſiderations*, and for that alſo in reſpect of ſo long Intermiſſion of a Parliament, the Times may have introduced ſome things fit to be reformed, either by new Laws, or by the moderate Deſires of our loving Subjects, dutifully intimated unto us (wherein we ſhall ever, be no leſs ready to give them all gracious Satisfaction, then their own Hearts can deſire) We have reſolved, by the adviſe of our Privy Council, to hold a Parliament at our City of *Weſtminſter*

And becauſe, as well this great *Cauſe* (there to be handled amongſt the reſt, and to be weighed by the *Beam* of the *Kingdom*) as alſo the true and antient *Inſtitution* of *Parliament*, do require the *Lower-houſe* (at this time if ever) to be Compounded of the Graveſt, Ableſt, and Worthieſt Members that may be found: We do hereby, out of the care of the Common Good, wherein themſelves are Participant (without all prejudice to the freedom of *Elections*) admoniſh all our loving Subjects (that have Votes in the Elections of Knights and Burgeſſes) of theſe few Points following.

Firſt,

Firſt, That they caſt their Eyes upon the *Worthieſt Men* of all ſorts, Knights and Gentlemen, that are *Lights* and *Guides* in their *Countries*, Experienced *Parliament* Men, Wiſe and Diſcreet *Statesmen*, that have been practiſed in Publique Affairs, whether at home or abroad: Grave and Eminent *Lawyers*, Subſtantial *Citizens* and *Burgeſſes*, and generally ſuch as are Intereſſed and have Portion in the Eſtate.

Secondly, That they make choice of ſuch as are well affected in *Religion*, without declining either on the one hand to Blindneſs and Superſtition, or on the other hand to Schiſm, or turbulent Diſpoſition.

Thirdly, and *Laſtly*, That they be truly ſenſible, not to diſvalue or diſparage the Houſe with Bankrupts and neceſſitous Perſons, that may deſire long Parliaments only for Protection; *Lawyers* of mean Account and Eſtimation; *Young Men* that are not ripe for grave Conſultations; *Mean Dependants* upon great Perſons, that may be thought to have their Voices under command, and ſuch like obſcure and inferiour Perſons: So that to conclude, we may have the comfort to ſee before us, the very Face of a ſufficient and well compoſed *Houſe*, ſuch as may be worthy to be a Repreſentative of the *Third Eſtate* of our Kingdom, fit to nouriſh a loving and comfortable Meeting between us and our People, and fit to be a Noble Inſtrument, under the Bleſſing of Almighty God, and our Princely Care and Power, and with the loving Conjunction of our Prelates and Peers, for the ſetling of ſo great Affairs, as are before expreſſed.

CXXXIII.

CXXXIII.

From the Journal *of the Houſe of* Lords.

To the Right Honourable his very good Lords, the Lords Spiritual *and* Temporal *in the Upper Houſe of* Parliament *Aſſembled.*

My very good Lords,

I Humbly pray your Lordſhips all, to make a favourable and true Conſtruction of my abſence. It is no feigning or fainting, but Sickneſs both of my Heart and of my Back, though joyned with that comfort of Mind, that perſwadeth me that I am not far from Heaven, whereof I feel the firſt Fruits.

And becauſe, whether I live or dye, I would be glad to preſerve my Honour and Fame, ſo far as I am worthy; hearing that ſome Complaints of baſe *Bribery*, are coming before your Lordſhips: My Requeſts unto Your Lordſhips, are,

Firſt, That you will maintain me in your good Opinion, without prejudice, until my Cauſe be heard.

Secondly, That in regard, I have ſequeſtred my mind at this time, in great part from Worldly Matters, thinking of my Account and Anſwers in a higher Court; Your Lordſhips will give me convenient time, according to the courſe of other Courts, to adviſe with my Council, and to make my Anſwer; wherein, Nevertheleſs, my Councils part will be the leaſt: For I ſhall not, by the Grace of God, trick up an Innocency with Cavillations, but plainly and ingenuouſly (as your Lord-

Lordſhips know my manner is) declare what I know or remember.

Thirdly, That according to the courſe of Juſtice, I may be allowed to except to the Witneſſes brought againſt me, and to move Queſtions to your Lordſhips for their croſs Examinations, and likewiſe to produce my own Witneſſes for the diſcovery of the Truth.

And *Laſtly*, That if there be any more *Petitions* of like Nature, that Your Lordſhips would be pleaſed not to take any Prejudice or Apprehenſion of any Number or Muſter of them, eſpecially againſt a Judge, that makes 2000 *Orders* and *Decrees* in a Year (not to ſpeak of the Courſes that hath been taken, for Hunting out Complaints againſt me) but that I may anſwer them according to the Rules of Juſtice, ſeverally and reſpectively.

Theſe *Requeſts*, I hope appear to Your Lordſhips no other than Juſt. And ſo thinking my ſelf happy to have ſo *Noble Peers*, and *Reverend Prelates* to diſcern of my Cauſe, and deſiring no priviledge of Greatneſs for Subterfuge of Guiltineſs, but meaning, as I ſaid, to deal fairly and plainly with Your Lordſhips, and to put my ſelf upon your Honours and Favours. I pray God to bleſs your Counſels and Perſons.

And reſt

19 *March* 1620. *Your Lordſhips humble Servant.*

Fr. *St.* Alban *Canc.*

CXXXIII.

To the *Marquis* of *Buckingham.*

My very good Lord,

YEſterday I know was no day; now I hope I ſhall hear from your Lordſhip, who are my *Anchor* in theſe *Flouds*. Mean while to eaſe my Heart, I have Written to His Majeſty the incloſed, which I pray Your Lordſhip to read adviſedly, and to deliver it, or not to deliver it, as you think good. God ever proſper your Lordſhip.

Yours ever, *&c.*

25 *March* 1621. Fr. *St.* Alban *Canc.*

CXXXIV.

To the KING.

It may pleaſe your moſt Excellent Majeſty,

* *The Mourning of a Dove.*

TIme hath been, when I have brought unto you * *Gemitum Columbæ* from others, Now I bring it from my ſelf. I fly unto your Majeſty, with the Wings of a Dove, which once within theſe ſeven Days, I thought would have carried me a higher Flight. When I enter into my ſelf, I find not the Materials of ſuch a Tempeſt as is come upon me. I have been (as your Majeſty knoweth beſt) never Author of any immoderate Counſel, but always deſired to have things carried * *ſuavibus modis*. I have been no Avarici-

* *With a gentle hand.*

ous

ous Oppreſſor of the People. I have been no haughty, or intolerable, or hateful Man, in my Converſation or Carriage: I have inherited no hatred from my *Father*, but am a good Patriot born. Whence ſhould this be? For theſe are the things that uſe to raiſe diſlikes abroad.

For the *Houſe* of *Commons*, I began my *Credit* there, and now it muſt be the place of the Sepulture thereof; and yet this Parliament, upon the Meſſage touching *Religion*, the old Love revived, and they ſaid, I was the ſame Man ſtill, only *Honeſty* was turned into *Honour*.

For the *Upper-houſe*, even within theſe Days, before theſe Troubles, they ſeemed as to take me into their Arms, finding in me Ingenuity, which they took to be the true Streight-line of Nobleneſs, without any Crookes or Angles.

And for the *Briberies* and *Gifts*, wherewith I am charged, when the Books of Hearts ſhall be opened, I hope, I ſhall not be found to have the troubled Fountain of a corrupt Heart, in a depraved Habit of taking Rewards to pervert Juſtice; howſoever I may be frail, and partake of the *Abuſes* of the *Times*.

And therefore, I am reſolved, when I come to my *Anſwer*, not to trick my Innocency, (as I writ to the *Lords*) by Cavillations, or Voydances; but to ſpeak to them the Language, that my heart ſpeaketh to me, in Excuſing, Extenuating, or ingenuouſly Confeſſing: Praying to God to give me the Grace to ſee the bottom of my Faults, and that no hardneſs of heart do ſteal upon me, under ſhew of more neatneſs of Conſcience, than is cauſe. But not to trouble your Majeſty any longer, craving Pardon for this long Mourning Letter; That which I thirſt after, as the Hart after the Streams, Is, that I may know, by my *Matchleſs*

friend that preſenteth to you this Letter, your Majeſty's heart (which is an *Abyſſus* of Goodneſs as I am an *Abyſſus* of Miſery) towards me. I have been ever your Man, and counted my ſelf but an Uſufructuary of my ſelf, the Property being yours. And now making my ſelf an Oblation to do with me as may beſt conduce to the Honour of your Juſtice, the Honour of your Mercy, and the uſe of your Service, reſting as

Clay in your Majeſty's Gracious Hands,

Fr. St. Alban, *Canc.*

CXXXV.

From the Journal *of the Houſe of* Lords.

To the Right Honourable the Lords of the Parliament, *in the Upper Houſe Aſſembled, the Humble Submiſſion and Supplication of the Lord* Chancellor.

It may pleaſe your Lordſhips,

I Shall humbly crave at your Lordſhip's Hands a benign Interpretation of that which I ſhall now write; For words that come from waſted Spirits, and an oppreſſed mind, are more ſafe in being depoſited in a Noble Conſtruction, than in being Circled with any reſerved Caution.

This being moved, and as I hope obtain'd, in the nature of a *Protection* for all that I ſhall ſay; I ſhall now make into the reſt of that wherewith I ſhall at this time trouble your Lordſhips, a very ſtrange entrance: For in the midſt of a ſtate of as great affliction, as I think a mortal Man can endure, (*Honour* being above *Life*)

Life) I ſhall begin with the profeſſing of Gladneſs in ſome things.

The *Firſt* is, That hereafter the Greatneſs of a *Judge*, or Magiſtrate, ſhall be no Sanctuary or Protection of Guiltineſs; which in few words is the beginning of a *Golden World.*

The *next*, That after this Example, it is like that *Judges* will fly from any thing that is in the likeneſs of *corruption*, (though it were at a great diſtance) as from a Serpent; which tendeth to the Purging of the Courts of Juſtice, and the reducing them to their true Honour and Splendor.

And in theſe two *Points*, (God is my Witneſs) that though it be my Fortune to be the Anvil, whereupon thoſe good effects are beaten and wrought, I take no ſmall comfort.

But to paſs from the Motions of my Heart, whereof God is onely Judge, to the Merits of my Cauſe, whereof your Lordſhips are Judges, under God and his Lieutenant. I do underſtand there hath been heretofore expected from me ſome Juſtification: And therefore I have choſen one onely Juſtification, out of the Juſtification of *Job.* For after the clear Submiſſion and Confeſſion which I ſhall now make unto your Lordſhips, I hope I may ſay and juſtifie with *Job* in theſe words, *I have not hid my ſins, as did* Adam, *nor conceal'd my faults in my Boſom.* This is the onely Juſtification which I will uſe.

It reſteth therefore, that without Fig-leaves, I do ingenuouſly confeſs and acknowledge, that having underſtood the Particulars of the Charge, not formally from the Houſe, but enough to inform my Conſcience and my Memory; I find Matters ſufficient and full, both to move me to deſert my Defence, and to move your Lordſhips to condemn and cenſure me.

Neither

Neither will I trouble your Lordſhips by ſingling thoſe Particulars which I think might fall off, *Quid te exempta juvat ſpinis de pluribus una?* Neither will I prompt your Lordſhips to obſerve upon the Proofs, where they come not home, or the ſcruple touching the credit of the Witneſſes. Neither will I repreſent to your Lordſhips, how far a Defence in divers things mought extenuate the offence in reſpect of the *Time* and *manner* of the *Gift*, or the like Circumſtances. But onely leave theſe things to ſpring out of your own Noble thoughts, and obſervations of the Evidence, and Examinations themſelves; and charitably to wind about the Particulars of the Charge, here and there as God ſhall put into your minds, and ſo ſubmit my ſelf wholly to your Piety and Grace.

Horat. Ep. lib. 2.

And now, I have ſpoken to your Lordſhips as *Judges*, I ſhall ſay a few words to you as *Peers* and *Prelates*; Humbly commending my Cauſe to your Noble Minds, and Magnanimous Affections.

Your Lordſhips are not ſimply Judges but Parliamentary Judges; You have a farther extent of Arbitrary Power than other Courts. And if your Lordſhips be not tyed by ordinary courſes of Courts or Preſidents in Points of ſtrictneſs and ſeverity; much more in Points of Mercy and Mitigation.

And yet if any thing which I ſhall move mought be contrary to your worthy Ends to introduce a Reformation, I ſhould not ſeek it: But herein I beſeech your Lordſhips to give me leave to tell you a Story. *Titus Manlius* took his Sons life for giving Battle againſt the Prohibition of his General: Not many years after the like ſeverity was purſued by *Papirius Curſor* the *Dictator*, againſt *Quintus Maximus*; who being upon the Point to be ſentenc'd, by the Interceſſion of ſome Principal Perſons of the Senate, was ſpared: Whereupon

Livy

Livy maketh this grave and gracious Obſervation; *Neque minus firmata eſt Diſciplina Militaris periculo Quinti Maximi, quàm miſerabili ſuplicio Titi Manlii*, The *Diſcipline* of *War*, was no leſs eſtabliſhed by the Queſtioning of *Quintus Maximus*, than by the Puniſhing of *Titus Manlius*. And the ſame reaſon is of the *Reformation* of *Juſtice*; For the Queſtioning of Men of Eminent Places hath the ſame Terror, though not the ſame Rigor with the Puniſhment.

But my Caſe ſtandeth not there; For my humble Deſire is, that his Majeſty would take the Seal into his hands, which is a great Downfall, and may ſerve I hope in it ſelf for an Expiation of my Faults.

Therefore, if Mercy and Mitigation be in your Power, and do no ways croſs your Noble Ends, why ſhould I not hope of your Lordſhip's Favour and Commiſeration?

Your Lordſhips will be pleaſed to behold your Chief Pattern the *King* our Soveraign, a King of incomparable Clemency, and whoſe Heart is inſcrutable for Wiſdom and Goodneſs. Your Lordſhips will remember that there ſat not theſe Hundred years before, a *Prince* in your Houſe, and never ſuch a Prince, whoſe Preſence deſerves to be made Memorable by Records and Acts mixed of Mercy and Juſtice. Your Lordſhips are either *Nobles*, (and compaſſion ever beateth in the veins of Noble Blood) or Reverend *Prelates*, who are the Servants of him, who would not break the bruiſed Reed, nor quench the ſmoking Flax. You all ſit upon one *High Stage*, and therefore cannot but be more ſenſible of the Changes of the World, and of the Fall of any of High Place.

Neither will your Lordſhips forget that there are *vitia Temporis*, as well as *Vitia Hominis*; and that the beginning of Reformations hath the contrary Power of the

the Pool of *Bethesda*; for that had ſtrength to cure him only, that was firſt caſt in, and this hath commonly ſtrength to hurt him onely that is firſt caſt in. And for my part, I wiſh it may ſtay there and go no further.

Laſtly, I aſſure my ſelf, your Lordſhips have a Noble Feeling of me, as a Member of your own Body, and one that in this very Seſſion had ſome Taſt of your loving Affections; which I hope was not a Lightening before the Death of them, but rather a ſpark of that Grace, which now in the Concluſion will more appear.

And therefore my Humble Suit to your Lordſhips is, That my Penitent *Submiſſion* may be my Sentence, and the loſs of the *Seal* my Puniſhment; and that your Lordſhips will ſpare any further ſentence, but recommend me to his Majeſty's Grace and Pardon for all that is paſt. God's Holy Spirit be among you.

22 April 1621.

Your Lordſhip's Humble Servant, and Suppliant,

Fr. St. Alban, *Canc.*

CXXXVI.

To the KING.

It may pleaſe your moſt Excellent Majeſty,

IN the midſt of my miſery, which is rather aſſwaged by Remembrance, than by Hope, my chiefeſt worldly Comfort is, to think that ſince the time, I had the firſt *Vote* of the Commons Houſe of *Parliament* for Commiſſioner of the *Union*, until the time that I was this laſt *Parliament* choſen by both Houſes for their Meſſenger

Meſſenger to your Majeſty in the Petition of *Religion*, (which two were my firſt and laſt Services) I was ever more ſo happy as to have my poor Services graciouſly accepted by your Majeſty, and likewiſe not to have had any of them miſcarry in my Hands. Neither of which Points I can any ways take to my ſelf, but aſcribe the former to your Majeſty's Goodneſs, and the latter to your prudent Directions; which I was ever careful to have and keep. For as I have often ſaid to your Majeſty, I was towards you but as a Bucket and a Ciſtern, to draw forth and conſerve, your ſelf was the *Fountain*. Unto this comfort of Nineteen years proſperity there ſucceeded a comfort even in my Greateſt adverſity, ſomewhat of the ſame nature; which is, that in thoſe Offences wherewith I was charged, there was not any one that had ſpecial relation to your Majeſty, or any your particular Commandments. For as towards Almighty God, there are offences againſt the firſt and ſecond Table, and yet all againſt God; ſo with the Servants of Kings, there are offences more immediate againſt the Sovereign: Although all offences againſt Law are alſo againſt the King. Unto which comfort there is added this circumſtance, That as my Faults were not againſt your Majeſty, otherwiſe than as all Faults are; ſo my Fall was not your Majeſty's Act, otherwiſe than as all Acts of Juſtice are yours. This I write not to inſinuate with your Majeſty, but as a moſt humble appeal to your Majeſty's Gracious remembrance, how honeſt and direct you have ever found me in your Service; whereby I have an aſſured belief, that there is in your Majeſty's own Princely thoughts, a great deal of ſerenity and clearneſs to me your Majeſty's now proſtrate and caſt down ſervant.

Neither (my moſt *Gracious Sovereign*) do I by this mention of my Services, lay claim to your Princely Grace and Bounty, though the Priviledge of Calamity

doth bear that form of Petition. I know well, had they been much more, they had been but my bounden duty. Nay, I muſt alſo confeſs, that they were from time to time, far above my Merit, over and ſuper-rewarded by your Majeſty's benefits which you heaped upon me. Your Majeſty was and is that Maſter to me, that raiſed and advanced me *Nine* Times; *Thrice* in *Dignity*, and *Six* times in *Office*. The Places indeed were the painfulleſt of all your Services; But then they had both Honour and Profits. And the then Profits might have maintained my now Honour, if I had been wiſe: Neither was your Majeſty's immediate Liberality wanting towards me in ſome Gifts, if I may hold them. All this I do moſt thankfully acknowledge, and do herewith conclude, That for any thing ariſing from my ſelf to move your eye of pity towards me, there is much more in my preſent *miſery*, than in my paſt *Services*; ſave that the ſame your Majeſty's Goodneſs, that may give relief to the one, may give value to the other.

And indeed, If it may pleaſe your *Majeſty* this *Theme* of my *Miſery* is ſo plentiful as it need not be coupled with any thing elſe. I have been ſome body by your Majeſty's ſingular and undeſerved Favour, even the prime Officer of your Kingdom; your Majeſty's Arm hath been over mine in Council, when you preſided at the Table; ſo near I was. I have born your Majeſty's Image in Metal, much more in Heart; I was never in Nineteen years Service chidden by your Majeſty, but contrariwiſe often overjoyed, when your Majeſty would ſometimes ſay I was a good Husband for you, though none for my ſelf: Sometimes, that I had a way to deal in Buſineſs, * *Suavibus Modis*, which was the way which was moſt according to your own Heart: And other moſt Gracious Speeches of Affection and Truſt,

* After a gentle manner.

Truſt, which I feed on to this day. But why ſhould I ſpeak of theſe things which are now vaniſhed, but only the better to expreſs the downfall?

For now it is thus with me; I am a year and half old in miſery; though I muſt ever acknowledge, not without ſome mixture of your Majeſty's Grace and Mercy; For I do not think it poſſible, that any you once loved ſhould be totally miſerable: Mine own Means through my own Improvidence are poor and weak, little better than my Father left me. The poor Things that I have had from your Majeſty, are either in Queſtion, or at Courteſie. My Dignities remain Marks of your Favour, but Burdens of my preſent Fortune. The poor Remnants which I had of my former Fortunes, in Plate or Jewels, I have ſpread upon poor Men unto whom I owed, ſcarce leaving my ſelf a convenient Subſiſtance. So as to conclude, I muſt pour out my miſery before your Majeſty, ſo far as to ſay, * *Si deſeris tu, perimus.*

* If you forſake us, we periſh.

But as I can offer to your Majeſty's Compaſſion, little ariſing from my ſelf to move you, except it be my extream miſery, which I have truly laid open; ſo looking up to your Majeſty's own ſelf, I ſhould think I committed *Cain*'s Fault, if I ſhould deſpair. Your Majeſty is a *King* whoſe heart is as unſcrutable for ſecret Motions of Goodneſs, as for depth of Wiſdom. You are *Creator* like, factive and not deſtructive. You are the *Prince* in whom hath been ever noted an averſation againſt any thing that ſavoured of an hard heart; as, on the other ſide, your Princely eye was wont to meet with any Motion that was made on the relieving part. Therefore as one that hath had the happineſs to know your Majeſty near hand, I have (*moſt Gracious Sovereign*) Faith enough for a *Miracle*; much more for a *Grace*, that your Majeſty will not ſuffer your

poor Creature to be utterly defaced, nor blot that Name quite out of your Book, upon which your Sacred Hand hath been ſo oft for new Ornaments and Additions.

Unto this degree of compaſſion, I hope God above (of whoſe mercy towards me, both in my proſperity and adverſity I have had great Teſtimonies and Pledges, though my own manifold and wretched unthankfulneſs might have averted them) will diſpoſe your Princely heart, already prepared to all Piety. And why ſhould I not think, but that thrice *Noble Prince*, who would have pulled me out of the fire of a Sentence, will help to pull me (if I may uſe that homely phraſe) out of the Mire of an abject and ſordid Condition in my laſt days: And that *Excellent Favourite* of yours, (the goodneſs of whoſe Nature contendeth with the greatneſs of his Fortune; and who counteth it a Prize, a ſecond Prize, to be a good Friend, after that Prize which he carrieth to be a good Servant) will kiſs your Hands with Joy for any work of Piety you ſhall do for me. And as all Commiſerable Perſons (eſpecially ſuch as find their Hearts void of all Malice) are apt to think that all Men pitty them; I aſſure my ſelf that the *Lords* of your *Council*, who out of their Wiſdom and Nobleneſs, cannot but be ſenſible of human events, will in this way which I go, for the relief of my Eſtate, further and advance your Majeſty's Goodneſs towards me. For there is as I conceive a kind of Fraternity between Great Men, that are, and thoſe that have been, being but the ſeveral *Tenſes* of one *Verb*; nay, I do further preſume, that both Houſes of *Parliament* will love their Juſtice the better if it end not in my ruin. For I have been often told, by many of my *Lords*, as it were in Excuſing the *ſeverity* of the *Sentence*, that they knew they left me in good Hands. And your Majeſty knoweth

eth well, I have been all my life long *acceptable* to thoſe *Aſſemblies* not by Flattery, but by Moderation, and by honeſt expreſſing of a deſire to have all things go fairly and well.

But, if it may pleaſe your *Majeſty* (for *Saints* I ſhall give them *reverence*, but no *adoration*, my Addreſs is to your Majeſty, the Fountain of Goodneſs;) your Majeſty ſhall by the Grace of God, not feel that in *Gift*, which I ſhall extremely feel in *Help*; For my deſires are moderate, and my Courſes meaſured to a Life orderly and reſerved, hoping ſtill to do your Majeſty Honour in my way. Only I moſt humbly beſeech your Majeſty to give me leave to conclude with thoſe words which neceſſity ſpeaketh: Help me *(Dear Sovereign Lord and Maſter)* and pity me ſo far, as I that have born a *Bag*, be not now in my Age forced in effect to bear a *Wallet*; nor I that deſire to *live* to *ſtudy*, may not be driven to *ſtudy* to *live* (*a*). I moſt humbly crave pardon of a long Letter, after a long ſilence. God of Heaven ever bleſs, preſerve, and proſper your Majeſty.

Your Majeſty's poor ancient
Servant and Beadſman,

Fr. St. Alban.

CXXXVII.

(*a*) Altho' the Subject-matter of this and ſome other Letters of the like Nature, hath given me occaſion to make ſome Remarks thereon already; yet I cannot omit taking notice in this place, of what the Learned Monſieur *Le Clerc* hath obſerved in the 12th Chapter of his *Reflections* upon *good* and *bad Fortune*. Where, in his Diſcourſe of Liberality, and the Obligations that are upon Princes, *&c.* to extend their Bounty to Learned Men, in reſpect of the Benefit the World receives from them; he expreſſes his ſenſe of the Honour which was due to the memory of thoſe who aſſiſted *Eraſmus* and *Grotius*, and his Reſentment of the Neglect of K. *James*, for

CXXXVII.

To the Earl of Briſtol.

My very good Lord,

I Now onely ſend my beſt Wiſhes, to follow you at Sea and Land, with due thanks for your late great Favours. God knows, whether the length of your Voyage will not exceed the Size of my Hour-Glaſs. But whilſt I live, my affection to do you Service, ſhall remain quick under the aſhes of my Fortune.

CXXXVIII.

S I R,

IN this Solitude of Friends, which is the *Baſe Court* of *Adverſity*, where no Body almoſt will be ſeen ſtirring, I have often remembred this *Spaniſh* ſaying, *Amor ſin fin, no tiene fin* (*a*). This bids me make choice of your Friend and mine, for his Noble Succours; not now towards the *Aſpiring*, but only the *Reſpiring* of my *Fortunes*. I who am a Man of Books

for deſerting the Lord *Bacon*: *One cannot read*, ſaith he, *without Indignation, that which is reported of the Famous Chancellor of* England, Francis Bacon, *whom the King ſuffer'd to languiſh in Poverty, whilſt he prefer'd worthleſs Perſons to his Diſhonour. A little before his Death this Learned Man writ to that Prince a bemoaning Letter*; and then cites this moving Concluſion out of *Howell*'s Letters; which tho' that Author thought it argued a little abjection of ſpirit in my Lord *Bacon*; yet Monſieur *Le Clerc* thinks it ſhew'd a much lower in the *King*, to permit ſo able a Man to lye under the neceſſity of making ſo ſad a Requeſt, and yet withal to afford no Relief.

(*a*) That *Love without Ends hath no End*, was a ſaying of *Gondomar* the *Spaniſh* Ambaſſador, meaning thereby, that if it were begun not upon particular Ends, it would laſt. Lord *Bac. Apothegms.*

have

have obſerved, that he hath both the *Magnanimity* of the Old *Romans*, and the *Cordiality* of the Old *Engliſh*; and withal I believe, he hath the wit of both: ſure I am, that for my ſelf, I have found him in both my Fortunes, to eſteem me ſo much, above my juſt value, and to love me ſo much above the poſſibility of deſerving, or obliging on my part, as if he were a Friend, created and reſerved, for ſuch a time as this. You know what I have to ſay to the Great *Lord*, and I conceive, it cannot paſs ſo fitly to him, by the Mouth of any, as of this Gentleman; and therefore do your beſt (which I know will be of Power enough) to engage him, both in the ſubſtance, and to the Secrecy of it: For, I can think of no Man but your ſelf, to be uſed by me in this, who are ſo private, ſo faithful, and ſo diſcreet a Friend to us both; as on the other ſide, I dare ſwear he is, and know my ſelf, to be as true to you as your own heart.

CXXXIX.

To the Marquis of Buckingham.

My very good Lord,

YOur Lordſhip will pardon me, if partly in the freedom of Adverſity, and partly of former Friendſhip, (the Sparkes whereof cannot but continue) I open my ſelf to your Lordſhip, and deſire alſo your Lordſhip to open your ſelf to me. The two laſt Acts, which you did for me, in procurng the Releaſement of my *Fine*, and my *Quietus eſt*, I acknowledge were effects, real and material, of your Love and Favour; which as to my Knowledge, it never failed me in my Proſperity, So in theſe two things, it ſeems not to have

have turned with the Wheel. But the extent of theſe two Favours, is not much more than to keep me from Perſecution. For any thing further, which might tend to my Comfort and Aſſiſtance, as I cannot ſay to my ſelf, that your Lordſhip hath forſaken me; ſo I ſee not the effects of your Undeſerved, yea Undeſired Profeſſions and Promiſes; which being made to a Perſon in *Affliction*, hath the Nature, after a ſort of *Vows*. But that, which moſt of all makes me doubt of a Change, or cooling in your Lordſhips Affection towards me, is, that being twice now at *London*, your Lordſhip did not vouchſafe to ſee me; though by Meſſages you gave me hope thereof, and the latter time I had begg'd it of your Lordſhip.

The cauſe of *Change*, may either be in my *ſelf*, or your Lordſhip. I ought firſt to examine my ſelf, which I have done; and God is my Witneſs, I find all well, and that I have approved my ſelf to your Lordſhip, a true Friend, both in the *Watery Trial* of *Proſperity*, and in the *Fiery Trial* of *Adverſity*. If your Lordſhip take any Inſatisfaction touching the Houſe; I humbly pray you, think better of it. For that Motion to me, was a ſecond Sentence, more grievous than the firſt, as things then ſtood, and do yet ſtand: For it Sentenced me to have loſt both in mine own Opinion, and much more in the Opinion of others, that which was ſaved to me, almoſt only, in the former Sentence; and which was more dear to me, than all that which was taken from me, which is your Lordſhips Love and Favour. For had it not been for that bitter Circumſtance, your Lordſhip knows, that you might have commanded my life, and all that is mine. But ſurely it could not be that, nor any thing in me, which wrought the *Change*. It is likely on the other part, that though your Lordſhip in your *Nature*, I know to be

be *Generous* and *Conſtant*, yet I being now become out of *ſight*, and out of *uſe*, your Lordſhip having a Floud of *New Friends*, and your Ears poſſeſſed perhaps by ſuch, as would not leave room for an *Old*; Your Lordſhip may, even by courſe of the World, and the over-bearing of others, be turned from me: And it were almoſt a Miracle if it ſhould be otherwiſe. But yet, becauſe your Lordſhip may ſtill have ſo Heroical a Spirit, as to ſtand out in all theſe violent Aſſaults, which might have Alienated you from your *Friend*: My humble *Suit* to your Lordſhip, is, That remembring your former Friendſhip, which began with your beginning, and ſince that time, hath never failed on my part, your Lordſhip would deal clearly with me, and let me know, whether I continue in your Favour or no; and whether in thoſe poor Requeſts, which I may yet make to his Majeſty (whoſe true Servant I ever *was* and *am*) for the tempering of my *Miſery*, I may preſume to uſe your Lordſhips Favour, and help, as I have done; for otherwiſe it were a kind of ſtupidneſs in me, and a great trouble alſo to your Lordſhip, for me not to diſcern the Change, for your Lordſhip to have an Importuner, inſtead of a Friend and a Suitor. Though howſoever, if your Lordſhip ſhould never think of me more, yet in reſpect of your former Favours, which cannot altogether be made void, I muſt remain, *&c.*

CXL.

To the Marquis of Buckingham.

My very good Lord,

THough I returned an Anſwer to your Lordſhips laſt honourable and kind Letter, by the ſame way by which I received it; yet I humbly pray your Lordſhip to give me leave to add theſe few Lines. *My Lord*, As God above is my Witneſs, that I ever have loved and honoured your Lordſhip, as much I think as any Son of *Adam* can love or honour any thing that is a Subject; and do ſtill continue in as hearty and ſtrong wiſhes of Felicity, to be heaped and fixed upon you as ever: So yet I proteſt, that at this time, as low as I am, I had rather ſojourn the reſt of my life in a *Colledge* in *Cambridge*, than recover a good Fortune by any other than your ſelf. But now to recover your ſelf to me (if I have you not already) or to eaſe your Lordſhip in any Buſineſs of mine, wherein your Lordſhip would not ſo fully appear, or to be made Partaker of your Favours, in the way that you like beſt; I would uſe any Man who were your Lordſhips Friend. *Secondly*, If in any thing of my former Letters, I have given your Lordſhip any diſtaſte, either by the Stile of them, or any particular Paſſage in them, I humbly pray your Lordſhips benigne Conſtruction and Pardon. I confeſs, it is my *fault*, though yet it be ſome *happineſs* to me withal, that I many times *forget* my *Adverſity*: But I ſhall never forget to be, *&c.*

CXLI.

CXLI.

To the Right Reverend Father in God, the Lord Biſhop of *Winchester*, Counſellor of Eſtate to His Majeſty. *(a)*

My Lord,

AMongſt Conſolations, it is not the leaſt to repreſent to a Mans ſelf, like *Examples* of Calamity in others: For *Examples* give a quicker Impreſſion than *Arguments*; and beſides, they certifie us, that which the *Scripture* alſo tendreth for Satisfaction, *That no new thing is happened unto us.* This they do the better, by how much the Examples, are liker in circumſtance to our own Caſe; and more eſpecially, if they fall upon *Perſons*, that are greater and worthier than our ſelves. For as it ſavoureth of Vanity, to match our ſelves highly in our own Conceit; ſo on the other ſide, it is a good ſound Concluſion, that if our Betters have ſuſtained the like Events, we have the leſs cauſe to be grieved.

In this kind of Conſolation, I have not been wanting to my ſelf; though as a *Chriſtian* I have taſted (through Gods great Goodneſs) of higher Remedies. Having therefore, through the variety of my Reading, ſet before me many *Examples*, both of antient, and of latter Times: My thoughts, I confeſs, have chiefly

(*a*) The following Letter, to the Moſt Learned Dr. *Andrews*, Biſhop of *Winchester*, was Written by my Lord St. *Alban*, in the Year 1622, and in the nature of a Dedication, prefixed before his *Dialogue*, touching a *Holy War*; which was not Printed, at leaſt correctly, till 7 years after, by the care of Dr. *Rawley*. But becauſe it has been found amongſt his Lordſhips Letters and other Books, ſeparated from that Treatiſe, and chiefly, becauſe it gives ſome account of his Writings, and Behaviour after his Retirement, I thought it very proper to inſert it in this place.

ſtayed upon three Particulars, as the moſt eminent, and the moſt reſembling. All three Perſons that had held chief place of Authority in their Countries: All three ruined, not by War, or by any other Diſaſter, but by Juſtice and Sentence, as Delinquents and Criminals: All three famous Writers; in ſo much as the Remembrance of their Calamity, is now as to Poſterity, but as a little *Picture* of *Night-work*, remaining amongſt the fair and excellent *Tables* of their *Acts* and *Works*: And all three (if that were any thing to the matter) fit Examples to quench any Man's Ambition of riſing again, for that they were every one of them reſtored with Great Glory; but to their further Ruin and Deſtruction, ending in a violent Death. The Men were *Demoſthenes*, *Cicero*, and *Seneca*; Perſons that I durſt not claim Affinity with, except the Similitudes of our Fortunes had contracted it. When I had caſt mine Eyes upon theſe Examples, I was carried on further to obſerve how they did bear their Fortunes, and principally how they did employ their times, being baniſhed, and diſabled for publick buſineſs, to the end that I might learn by them, and that they might be as well my Counſellors, as my Comforters. Whereupon I happened to note, how diverſly their Fortunes wrought upon them, eſpecially in that Point which I did moſt aim, which was the employing of their Times and Pens. In *Cicero*, I ſaw, that during his Baniſhment (which was almoſt two Years) he was ſo ſoftened and dejected, as he wrote nothing but a few Womaniſh *Epiſtles*. And yet, in mine Opinion, he had leaſt reaſon of the three to be diſcouraged; for that, although it was judged, and judged by the higheſt kind of Judgment, in form of *Statute* or *Law*, that he ſhould be baniſhed, and his whole Eſtate confiſcated and ſeized, and his Houſes pulled down; And that

it

it ſhould be highly penal for any Man to propound his Repeal: Yet his caſe, even then, had no great blot of Ignominy, but it was thought but a Tempeſt of Popularity, which over threw him. *Demoſthenes*, contrariwiſe, though his Caſe was foul, being condemned for *Bribery*, and not ſimple Bribery, but *Bribery* in the nature of Treaſon and Diſloyalty: Yet, nevertheſs, he took ſo little knowledge of his Fortune, as during his Baniſhment, he did much buſie himſelf, and intermedle with Matters of *State*; and took upon him to counſel the *State* (as if he had been ſtill at the Helm) by Letters, as appears by ſome *Epiſtles* of his, which are extant. *Seneca* indeed, who was condemned for many *Corruptions* and *Crimes*, and Baniſhed into a ſolitary *Iſland*, kept a mean: And though his Pen did not Freeze, yet he abſtained from intruding into Matters of Buſineſs; but ſpent his time in Writing *Books* of excellent Argument and uſe, for all Ages, though he might have made better choice, ſometimes of his Dedications.

Theſe Examples confirmed me much in a Reſolution (whereunto I was otherwiſe inclined) to ſpend my time wholly in Writing, and to put forth that poor *Talent* or half *Talent*, or what it is that God hath given me, not as heretofore, to particular *Exchanges*, but to *Banks* or *Mounts* of perpetuity, which will not break.

Therefore having not long ſince, ſet forth a part of my *Inſtauration*, which is the Work, that in mine own Judgment (*Si nunquam fallit Imago*) I may moſt eſteem; I think to proceed in ſome new parts thereof. And although I have received from many Parts beyond the Seas, Teſtimonies touching that Work, ſuch, as beyond which I could not expect at the firſt, in ſo abſtruſe an Argument; yet, nevertheleſs, I have juſt

Cauſe-

cauſe to doubt, that it flies too high over Mens Heads. I have a purpoſe therefore (though I break the order of Time) to draw it down to the ſenſe by ſome Patterns of a *Natural Story* and *Inquiſition*. And again, for that my Book of *Advancement* of *Learning*, may be ſome Preparative, or Key, for the better opening of the *Inſtauration*, becauſe it exhibits a mixture of new Conceipts and old; whereas the *Inſtauration* gives the new unmixed, otherwiſe than with ſome little Aſperſion of the old, for Taſtes ſake, I have thought good to procure a *Tranſlation* of that *Book* into the *general Language*, not without great and ample Additions, and enrichment thereof; eſpecially in the ſecond Book, which handleth the *Partition* of *Sciences*, in ſuch ſort, as I hold it, may ſerve in lieu of the *firſt Part* of the *Inſtauration*, and acquit my promiſe in that part.

Again, becauſe I cannot altogether deſert the Civil Perſon that I have born; which if I ſhould forget, enough would remember. I have alſo entred into a Work touching *Laws*, propounding a Character of *Juſtice* in a middle Term, between the Speculative, and Reverend Diſcourſes of *Philoſophers*, and the Writings of *Lawyers*, which are tied, and Obnoxious to their particular *Laws*. And although it be true, that I had a purpoſe to make a particular *Digeſt*, or Recompilement of the *Laws* of mine own Nation; yet becauſe it is a Work of aſſiſtance, and that I cannot Maſter by my own Forces and Pen, I have laid it aſide. Now having in the Work of my *Inſtauration*, had in Contemplation, the general Good of *Men* in their very Being, and the Dowries of Nature; and in my *Work* of *Laws*, the general good of *Men* likewiſe in Society, and the Dowries of Government: I thought in duty, I owed ſomewhat to my own *Country*, which I ever loved; inſomuch, as although my Place hath been far above

above my Deſert, yet my thoughts and cares, concerning the good thereof, were beyond and over, and above my Place: So now, being as I am, no more able to do my Country Service, it remained unto me to do it Honour; which I have endeavoured to do in my Work of the *Reign* of King *Henry* the VII. As for my *Eſſays*, and ſome other Particulars of that Nature, I count them but as the Recreation of my other Studies, and in that ſort I purpoſe to continue them; though I am not ignorant, that thoſe kind of Writings, would with leſs pains, and embracement, perhaps, yield more Luſtre and Reputation to my Name, than thoſe other which I have in hand. But I account the uſe that a Man ſhould ſeek of the publiſhing his own *Writings* before his Death, to be but an untimely Anticipation of that, which is proper to follow a Man, and not to go along with him.

But revolving with my ſelf, my *Writings*, as well thoſe I have publiſhed, as thoſe which I had in hand; methought they went all into the *City*, and none into the *Temple*; where, becauſe I have found ſo great Conſolation, I deſire likewiſe to make ſome poor Oblation. Therefore, I have choſen an Argument, mix'd of *Religious* and *Civil* Conſiderations, and likewiſe mix'd between *Contemplative* and *Active*: For, Who can tell whether there may not be an *Exoriere aliquis?* Great Matters (eſpecially if they be *Religious*) have many times, ſmall Beginnings; and the Platform may draw on the Building. This *Work*, becauſe I ever was an Enemy to Flattering *Dedications*, * I have Dedicated to your Lordſhip, in reſpect of our ancient and private Acquaintance; and becauſe amongſt the Men of our Times, I hold you in eſpecial Reverence.

* Vid. the 1ſt. Book of the advancement of Learning.

Your Lordſhips loving Friend;

Fr. *St.* Alban.

CXLII.

CXLII.

An offer to the King, of a *Digeſt* to be made of the *Laws* of *England*.

Moſt excellent Sovereign,

AMongſt the Degrees and Acts of Sovereign, or rather Heroical Honour; the firſt or ſecond is the Perſon and Merit of a *Law-giver*. Princes that govern well, are *Fathers* of the *People*: But if a Father breed his Son well, and allow him well while he liveth, but leave him nothing at his Death, whereby both he, and his Children, and his Childrens Children may be the better; ſurely the Care and Piety of a Father is not in him compleat. So *Kings*, if they make a Portion of an Age happy by their good Government, yet, if they do not make *Teſtaments* (as God Almighty doth) whereby a Perpetuity of Good may deſcend to their Country, they are but Mortal and Tranſitory Benefactors. *Domitian*, a few days before he died, Dream'd, that a *Golden Head did riſe upon the Nape of his Neck*, which was truly performed in the *Golden Age*, that followed his times, for five Succeſſions. But Kings by giving their Subjects good Laws, may, if they will, in their own time, joyn and graffe this Golden Head upon their own Necks after their Death. Nay, they may make *Nebuchadnezzars* Image of *Monarchy*, *Golden from head to foot*: And if any of the meaner ſort of Politiques, that are ſighted only to ſee the worſt of things, think that *Laws* are but Cobwebs, and that good *Princes* will do well without them, and bad will not ſtand much upon them; the Diſcourſe is neither good nor wiſe. For, certain it is, that good Laws

are

are ſome Bridle to bad Princes, and as a very Wall about Government. And if Tyrants, ſometimes make a breach into them, yet they mollifie even Tyranny it ſelf, as *Solons* Laws did the *Tyranny* of *Piſiſtratus*; and then commonly, they get up again, upon the firſt advantage of better Times. Other means to perpetuate the *Memory* and Merits of *Sovereign Princes*, are inferiour to this. Buildings of *Temples*, *Tombs*, *Palaces*, *Theatres*, and the like, are honourable things, and look big upon Poſterity: But *Conſtantine* the Great, gave the Name well to theſe Works, when he uſed to call *Trajan*, who was a great Builder, *Parietaria*, *Wall-Flower*, becauſe his Name was upon ſo many Walls: So if that be the matter, that the King would turn *Wall-Flower*, or *Pellitory* of the Wall, with Coſt he may. *Adrians* Vein was better; for his mind was to wreſtle a Fall with time, and being a great Progreſſor over all the *Roman* Empire, when ever he found any decays of Bridges or High-ways, or Cuts of Rivers, and Sewers, or Walls, or Banks, or the like, he gave ſubſtantial Order for their Repair with the better. He gave alſo Multitudes of *Charters* and Liberties, for the comfort of Corporations, and Companies in decay: So that his bounty did ſtrive with the Ruins of Time. But yet this, though it were an excellent Diſpoſition, went but in effect to the Caſes and Shells of a *Common-wealth*; it was nothing to Vertue or Vice. A bad Man might indifferently take the benefit and eaſe of his Ways and Bridges, as well as a good; and bad People might purchaſe good Charters. Surely the better Works of perpetuity in *Princes*, are thoſe that *waſh the inſide of the Cup*. Such as are Foundations of *Colledges* and *Lectures* for Learning and Education of Youth: Likewiſe Foundations and Inſtitutions of *Orders* and *Fraternities*, for Nobleneſs, Enterpriſe, and Obedience, and the

like: But yet theſe alſo are but like Plantations, of Orchards and Gardens in plots and ſpots of Ground, here and there; they do not Till over the whole Kingdom, and make it Fruitful, as doth the eſtabliſhing of good *Laws* and *Ordinances*, which makes a whole *Nation* to be as a well ordered *College* or Foundation.

This kind of Work, in the Memory of Times, is rare enough to ſhew it excellent; and yet not ſo rare, as to make it ſuſpected for impoſſible, inconvenient, or unſafe. *Moſes*, that gave Laws to the *Hebrews*, becauſe he was the Scribe of God himſelf, is fitter to be named for Honours ſake, to other Law-givers, than to be numbred or ranked amongſt them. *Minos*, *Lycurgus*, and *Solon*, are Examples for Themes of Grammar Scholars. For antient Perſonages and Characters, now a days, uſe to Wax Children again: Though that Parable of *Pindarus* be true; *the beſt thing is Water*; for common and trivial things, are many times the beſt, and rather deſpiſed upon Pride, becauſe they are vulgar, than upon cauſe or uſe. Certain it is, That the Laws of thoſe three Law-givers had great *Prerogatives*; the *firſt* of *Fame*, becauſe they were the Pattern among the *Græcians*; the *ſecond* of *laſting*, for they continued longeſt without alteration; the *third* a Spirit of *Revivor*, to be often oppreſſed, and often reſtored.

Amongſt the ſeven Kings of *Rome*, four were Law-givers: For it is moſt true, that a *Diſcourſer* of *Italy*, ſaith, *There was never State ſo well ſwadled in the Infancy, as the* Roman *was, by the Virtue of their firſt Kings*; which was a principal cauſe of the wonderful Growth of that State in after times.

The *Decemvirs Laws*, were Laws upon Laws, not the Original; for they graffed Laws of *Grecia* upon the *Roman* Stock of Laws and Cuſtoms: But ſuch was their

their Succeſs, as the *Twelve Tables* which they compiled, were the main Body of the *Laws*, which framed and weilded the great Body of that *Eſtate*. Theſe laſted a long time, with ſome Supplementals, and the *Pretorian* Edicts in *Albo*; which were in reſpect of Laws, as Writing Tables in reſpect of Braſs: The one to be put in and out, as the other is Permanent. *Lucius Cornelius Sylla*, reformed the Laws of *Rome*; for that Man had three Singularities, which never *Tyrant* had, but he. That he was a Law-giver; That he took part with the Nobility; And that heturned Private-Man, not upon fear, but upon confidence.

Cæſar long after, deſired to imitate him only in the firſt; For otherwiſe he relied upon new Men; and for reſigning his Power, *Seneca* deſcribeth him right. Cæſar, *gladium cito condidit, nunquam poſuit:* Cæſar *ſoon ſheathed his Sword, but never put it off.* And himſelf took it upon him, ſaying, in ſcorn of *Sylla*'s Reſignation, *Sylla neſcivit literas, dictare non potuit:* Sylla *knew no Letters, he could not dictate.* But for the part of a Law-giver, *Cicero* giveth him the Attribute, Cæſar, *ſi ab eo quæreretur, quid egiſſet in toga, leges ſe, reſpondiſſet, multas et præclaras tuliſſe. If you had asked* Cæſar *what he did in the Gown, he would have anſwered, that he made many excellent Laws.* His Nephew *Auguſtus* did tread the ſame ſteps, but with deeper print, becauſe of his long Reign in Peace, whereof one of the *Poets* of his time, ſaith,

Pace datâ terris, animum ad Civilia vertit.
Jura ſuum, Legeſque tulit Juſtiſſimus Author.
Peace given to Earth, he did convert his care
To Civil Rule, Juſt Laws. *Sandys Ovid Metaph.* l. 15.

From that time, there was ſuch a Race of Wit and Authority between the *Commentaries* and *Deciſions* of the *Lawyers*, and the *Edicts* of the *Emperours*, as both Laws and Lawyers were out of breath. Whereupon *Juſtinian* in the end recompiled both, and made a *Body* of *Laws*, ſuch as might be weilded, which himſelf calleth glorioufly, and yet not above truth; *The Edifice or Structure of a Sacred Temple of Juſtice*; built indeed out of the former Ruins of Books, as Materials, and ſome *Novel Conſtitutions* of his own.

In *Athens* they had *ſex viri*, as *Æſchines* obſerveth, which were ſtanding Commiſſioners, who did watch to diſcern what Laws were unproper for the *Times*, and what new Law did, in any branch croſs a former Law, and ſo *ex officio*, propounded their Repeal.

King *Edgar* Collected the Laws of this Kingdom, and gave them the ſtrength of a Faggot bound, which formerly were diſperſed; which was more glory to him, than his Sailing about this Iſland with a Potent Fleet; for that was as the *Scripture* ſaith, *via navis in mari*, the way of a Ship in the Sea, it vaniſhed, but this laſteth.

Alphonſo the Wiſe (the Ninth of that Name) King of *Caſtile*, compiled the *Digeſt* of the *Laws* of *Spain*, Intituled the *Siete Partidas*, an excellent Work which he finiſhed in Seven Years. And as *Tacitus* noteth well, That the *Capitol*, though built in the beginnings of *Rome*, yet was fit for the great Monarchy that came after; ſo that building of Laws ſufficeth the greatneſs of the *Empire* of *Spain*, which ſince hath enſued.

Lewis the Eleventh had in his Mind (though he performed it not) to have made one conſtant *Law* of *France*, extracted out of the *Civil Roman Law*, and the *Cuſtoms* of *Provinces*, which are various, and the Kings *Edicts*, which with the *French* are *Statutes*. Surely he might

might have done well, if like, as he brought the *Crown* (as he ſaid himſelf) *hors de Page*; ſo he had brought the People from *Lacquay*; Not to run up and down for their *Laws*, to the Civil Law, and the Ordinances and the Cuſtoms, and the Diſcretions of Courts, and Diſcourſes of Philoſophers, as they uſe to do.

King *Henry* the Eighth, in the 27th year of his Reign was Authorized by *Parliament* to Nominate Thirty two Commiſſioners, part Eccleſiaſtical, and part Temporal, to purge the *Canon Law*, and to make it agreeable to the Law of *God*, and the Law of the *Land*, but it took not effect: for the Acts of that *King* were commonly rather Proffers and Fames, than either well grounded, or well purſued. But I doubt I err in producing ſo many Examples: For as *Cicero* ſaid to *Cæſar*, ſo may I ſay to your Majeſty, *Nil vulgare, te dignum videri poſſit:* Though indeed, this well underſtood, is far from *vulgar*; for that the Laws of the moſt Kingdoms and States have been like Buildings of many pieces, and patched up from time to time, according to Occaſions, without Frame or Model.

Now for the *Laws* of *England*, (if I ſhall ſpeak my Opinion of them, without Partiality, either to my Profeſſion or Country) for the matter and nature of them, I hold them wiſe, juſt, and moderate *Laws*; They give to *God*, they give to *Cæſar*, they give to the *Subject* what appertaineth. It is true, they are mixt as our *Language*, compounded of *Britiſh*, *Roman*, *Saxon*, *Daniſh*, *Norman* Cuſtoms. And ſurely as our *Language* is thereby ſo much the richer; ſo our Laws are likewiſe, by that mixture, the more compleat. Neither doth this attribute leſs to them than thoſe that would have them to have ſtood out the ſame in all mutations. For no Tree is ſo good firſt ſet, as by Tranſplanting and Grafting. I remember what happened

to

to *Caliſthenes*, that followed *Alexander*'s Court, and was grown into ſome diſpleaſure with him, becauſe he could not well brook the *Perſian Adoration*. At a Supper (which with the *Grecians* was a great part Talk) he was deſired, (the King being preſent) becauſe he was an Eloquent Man, to ſpeak of ſome Theme, which he did, and choſe for his Theme the praiſe of the *Macedonian* Nation: Which though it were but a filling thing, to praiſe Men to their Faces, yet he performed it with ſuch advantage of truth, and avoidance of Flattery, and with ſuch life, as was applauded by the Hearers. The King was the leſs pleaſed with it, not loving the Man, and by way of diſcountenance ſaid, *It was eaſie to be a good Orator in a pleaſing Theme:* But ſaith he to him, *Turn your ſtile, and tell us now of our Faults, that we may have the profit, and not you the praiſe only:* Which he preſently did, with ſuch quickneſs, that *Alexander* ſaid, *That Malice made him Eloquent then, as the Theme had done before.* I ſhall not fall into either of theſe Extremes, in this Subject of the *Laws* of *England*. I have commended them before for the *Matter*; but ſurely they ask much Amendment for the *Form*; which to reduce and perfect, I hold to be one of the greateſt Dowries that can be conferd upon this Kingdom. Which work for the Excellency, as it is worth your Majeſty's Act and Times, ſo it hath ſome circumſtance of Propriety agreeable to your *Perſon*. God hath bleſſed your Majeſty with Poſterity: And I am not of Opinion, that Kings that are barren, are fitteſt to ſupply perpetuity of Generations by perpetuity of Noble Acts; But contrariwiſe, that they that leave Poſterity, are the more intereſſed in the care of future times; that as well their Progeny as their People may participate of their merit.

Your

Your Majeſty is a great Maſter in Juſtice, and Judicature; and it were pity, the fruit of that your vertue ſhould not be Tranſmitted to the Ages to come. Your Majeſty alſo reigneth in Learned Times, the more, no doubt, in regard of your own perfection in Learning, and your Patronage thereof. And it hath been the miſhap of *Works* of this nature, that the leſs Learned time hath ſometimes wrought upon the more Learned, which now will not be ſo. As for my ſelf, the *Law* was my *Profeſſion*, to which I am a Debtor: Some little helps I have of other Arts, which may give Form to Matter; and I have now (by *God*'s merciful *Chaſtiſement*, and by his ſpecial Providence) time and leiſure to put my Talent or half-Talent, or what it is, to ſuch Exchanges as may perhaps exceed the Intereſt of an active life. Therefore as in the beginning of my *Troubles*, I made offer to your Majeſty to take pains in the *Story* of *England*, and in compiling a *Method* and *Digeſt* of your Laws; ſo have I performed the *firſt* (which reſted but upon my ſelf) in ſome part. And I do in all humbleneſs renew the Offer of this Latter (which will require help and aſſiſtance) to your Majeſty, if it ſhall ſtand with your good pleaſure to imploy my Service therein.

CXLIII.

CXLIII.

The three following Letters were ſeverally written by the Lord *St. Albans*, in a Blank Page of his *Advancement of Learning*, upon preſenting the ſame to each Univerſity, and to *Trinity College* in *Cambridge*.

Franciſcus Baro de *Verulamio*, Vice-Comes *St. Albani*, Almæ Matri Inclitæ Academiæ *Cantabrigienſi S.*

DEbita Filii qualia poſſum perſolvo; Quod verò facio, idem & vos hortor, ut Augmentis Scientiarum *ſtrenuè incumbatis; & in animi Modeſtiâ Libertatem Ingenii retineatis: Neque Talentum a veteribus Concreditum, in Sudario reponatis. Affuerit proculdubio, & affulſerit Divini Luminis Gratia, ſi humiliatâ & ſubmiſſâ* Religioni Philoſophiâ, *Clavibus ſenſûs legitimè & dextrè utamini; & amoto omni Contradictionis ſtudio, Quiſque cum alio, ac ſi ipſe ſecum, diſputet.* Valete.

CXLIV.

Inclitæ Academiæ Oxonienſi S.

CUM Almæ Matri meæ inclitæ Academiæ Cantabrigienſi *Scripſerim, deeſſem ſanè Officio ſi ſimile Amoris Pignus ſorori ejus non deferrem. Sicut autem eos hortatus ſum, ita & vos Hortor, ut* Scientiarum Augmentis *ſtrenuè incumbatis; & Veterum Labores neque* nihil, *neque* omnia *eſſe putetis, ſed vires etiam proprias modeſte perpendentes, ſubindè tamen experiamini: Omnia cedent quàm optimè, Si Arma non alii in alios vertatis, ſed junctis Copiis in Naturam rerum impreſſionem faciatis, ſufficit quippe illa* Honori & Victoriæ. Valete.

The ſatisfaction the Univerſity of *Oxford* teſtified upon this Occaſion, appears in their Letter dated from their Convocation-Houſe, 20 *Decemb.* 1623, and Printed in my Lord *Bacon*'s Remains, *pag.* 204.

CXLV.

CXLV.

Percelebri Collegio Sanctæ & Individuæ Trinitatis *in* Cantabrigiâ *S.*

RES omnes earumque Progreſſus Initiis ſuis debentur. Itaque cùm Initia Scientiarum, è fontibus veſtris hauſerim, Incrementa ipſarum vobis rependenda exiſtimavi. Spero itidem fore, ut hæc noſtra apud vos, tanquam in ſolo nativo, feliciùs ſuccreſcant. Quamobrem & vos hortor, ut Salvâ Animi Modeſtiâ, & erga veteres, *reverentiâ, ipſi quoque* Augmentis Scientiarum, *non deſitis: verùm ut poſt* Volumina Sacra *Verbi Dei & Scripturarum, ſecundo loco* Volumen *illud magnum Operum Dei & Creaturarum, ſtrenuè & præ omnibus Libris, (qui pro Commentariis tantùm haberi debent) evolvatis.* Valete.

CXLVI.

To the KING.

Moſt Gracious and Dread Sovereign,

BEfore I make my Petition to your Majeſty, I make my Prayers to God above, * *Pectore ab imo*, that if I have held any thing ſo dear, as your Majeſty's Service; nay, your Heart's eaſe, and your Honour's, I may be repulſed with a denial. But if that hath been the Principal with me, that God, who knoweth my heart, would move your Majeſty's Royal heart to take compaſſion of me and to grant my deſire.

I proſtrate my ſelf at your Majeſty's Feet; I, your Ancient Servant, now *Sixty four* years old in *Age*, and *three Years five Months* old in *Miſery*. I deſire not from

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your Majeſty, Means, nor Place, nor Imployment, but only after ſo long a time of Expiation, a compleat and total remiſſion of the *Sentence* of the *Upper Houſe*, to the end that blot of Ignominy may be removed from me, and from my Memory with Poſterity; that I die not a condemned Man, but may be to your Majeſty, as I am to God, * *Nova Creatura*. Your Majeſty hath Pardoned the like to Sir *John Bennet*, between whoſe Caſe and mine, (not being Partial to my ſelf, but ſpeaking out of the General Opinion) there was as much difference, I will not ſay as between Black and White, but as between Black and Grey, or Aſh-coloured (*a*); Look therefore down, *Dear Sovereign*, upon me alſo in pity. I know your Majeſty's Heart is inſcrutable for Goodneſs; and my Lord of *Buckingham* was wont to tell me, you were the beſt Natured Man in the World; and it's God's property, that *thoſe he hath loved, he loveth to the end.* Let your Majeſty's Grace, in this my deſire, ſtream down upon me, and let it be out of the Fountain and Spring-head, and *ex mero Motu*, that living or dying, the Print of the Goodneſs of King *James* may be in my heart, and his Praiſes in my mouth. This my moſt humble requeſt granted, may make me live a year or two happily; and denied, will kill me quickly. But yet the laſt thing that will die in me, will be the heart and affection of

* A New Creature.

July 30. 1624. *Your Majeſty's moſt humble, and true devoted Servant,*

Fr. St. Alban.

(*a*) Sir *John Bennet* Judge of the *Prerogative* Court, was in the year 1621 accuſed, convicted, and cenſured in Parliament, for taking of Bribes, and committing ſeveral Miſdemeanors relating to his Office.

CXLVII.

CXLVII.

A Monſieur D' Effiat. (*a*)

Monſieur l'Ambaſſadeur mon Fils.

VOyant que voſtre Excellence fait & traite Marriages, non ſeulement entre les Princes d' Angleterre *&* France, *mais auſſi entre les* Langues, *puiſque vous faites traduire mon Livre de* l'Advancement des Sciences *en Francois. J'ay bien voulu vous envoyer mon Livre derniere-ment imprimée, que j'avois pourveu pour vous ; mais J'eſtois en doubte, de le vous envoyer, pour ce que il eſt eſcrit en Anglois. Mais a ceſt'heure pour la raiſon ſuſdite, je le vous envoye. C'eſt un* Recompilement *de mes* Eſſayes Morales & Civiles ; *mais tellement enlargiés & enrichiés, tant de Nombre & de Poix, Que c'eſt de fait un Oeuvre Nouveau. Je vous baiſe les mains, & reſte*

Voſtre tres Affectionée Ami & tres-humble Serviteur,

Fr. St. Alban.

(*a*) To what hath been already ſaid of Monſieur *D'Effiat*, I ſhall onely add, that he was made *Mareſchal* of *France* in 1631, and died the year after, as he was going to take upon him the command of an Army upon the Frontier of *Lorrain*. Having the following Eloge given him by *Du Pleix* in his Hiſtory of *Louis* the Thirteenth. " In loſing him, the King loſt a moſt " faithful Servant, who in a little time had acquired, a great Reputation " in Arms, by his Courage ; In Council, by his Judgment ; In Embaſſy's, " by his Addreſs ; In the Sur-Intendance of the *Finances*, by his Vigilance, " Prudence, and good Conduct.

CXLVIII.

To the Queen of Bohemia. *(a)*

It may pleaſe Your Majeſty,

I Have received your Majeſties Gracious Letter, from Mr. Secretary *Moreton*, who is now a Saint in Heaven. It was at a time, when the great Deſolation of the Plague was in the City; and when my ſelf was ill of a dangerous and tedious Sickneſs. The firſt time that I found any degree of Health, nothing came ſooner to my mind, than to acknowledge your Majeſties great Favour, by my moſt humble thanks: And becauſe I ſee your Majeſty taketh delight in my *Writings*, (and to ſay the truth, they are the beſt Fruits I now yield.) I preſume to ſend your Majeſty a little Diſcourſe of mine, touching a *War* with *Spain* * which I writ about two Years ſince; which the *King* your *Brother* liked well. It is Written without Bitternes, or Invective, as Kings Affairs ought to be carried; but if

* Printed among his Lordſhips Miſcellany Works, in 1629, &c.

(*a*) The Princeſs *Elizabeth*, Eldeſt Daughter of King *James*, was Married to *Frederic* the Vth. Elector *Palatine*, who by accepting the Crown of *Bohemia*, was ſoon deprived, both of that, and his ancient Principality. Under all her Afflictions, ſhe had the happineſs of being Mother of many fine Children (of which the Princeſs *Sophia*, Dutcheſs Dowager of *Hanover* is the Survivor;) and at length of ſeeing her Son reſtored to the *Palatinate*, and her Nephew to his *Kingdoms*. To her, who had been ſo much injur'd by *Spain*, My Lord St. *Alban* preſents his Diſcourſe, touching a *War* with *Spain*, in acknowledgment of the Favour of her Majeſties Letter, ſent by her Secretary Sir *Albertus Moreton*; in which quality he had ſerv'd his Uncle Sir *Henry Wotton*, in ſome of his Ambaſſys: And as he was tenderly beloved by him in his Life, and much lamented in his Death; ſo Sir *Harry* profeſſed no leſs admiration of this Queen, and the ſplendor of her *Vertues* under the darkneſs of her *Fortunes*.

I be not deceived, it hath edge enough. I have yet ſome Spirits left, and Remnant of Experience, which I conſecrate to the King's Service, and your Majeſty's; for whom I pour out my daily Prayers to God, that he would give your Majeſty a *Fortune* worthy your rare *Vertues*; which ſome good Spirit tells me, will be in the end. I do in all Reverence kiſs your Majeſties Hands, ever reſting

Your Majeſties moſt humble and devoted Servant,

Fr. St. Alban.

CXLIX.

To the Earl of Arundel *and* Surrey.

My very good Lord,

I Was likely to have had the Fortune of *Cajus Plinius*, the Elder, who loſt his life by trying an Experiment, about the burning of the Mountain *Veſuvius*. For I was alſo deſirous to try an Experiment or two, touching the Conſervation, and Induration of *Bodies*. As for the Experiment it ſelf, it ſucceeded excellently well; but in the Journey (between *London* and *Highgate*) I was taken with ſuch a fit of Caſting, as I knew not whether it were the Stone, or ſome Surfeit, or Cold, or indeed a touch of them all three. But when I came to your Lordſhips Houſe, I was not able to go back, and therefore was forced to take up my Lodging here, where your Houſe-keeper is very careful and diligent about me; which I aſſure my ſelf, your

your Lordſhip will not only pardon towards him, but think the better of him for it. For indeed your Lordſhips houſe was happy to me; and I kiſs your Noble Hands, for the welcome, which I am ſure you give me to it, *&c.*

I know how unfit it is for me to write to your Lordſhip, with any other hand than my own; but by my troth, my Fingers are ſo disjoynted with this fit of Sickneſs, that I cannot ſteadily hold a Pen.

MVSEVM
BRITAN
NICVM

FINIS.

E R R A T A.

Page.	Line.	Errors.	Corrected.
III.	2	Ingenuous	Ingenious.
X.	39	a Reaſon	as a Reaſon.
XII.	1	He takes	*dele* He.
XXII	32	1615	1614.
XXV	16	eaſie	eaſily.
XXX	8	as	ſince.
XXXII	20	pleaſe	pleaſes
XLIV	10	17	22.
XLVII	33, 34	Quadruple	Double.
LI	19	as an	*dele* an
LXII	8	in the	*dele* in
17	21	Let it be given to the moſt deſerving	*dele.*
24	35	had	hath.
25	24	*ſuis*	*tuis.*
27	14	Mr. *Edward*	Sir *Edward.*
28	7	Side	Tide.
39	23	deſire	deceive.
40	38	*doreſenarant*	*doreſenavant.*
	39	*L' Eſpe*	*L' Eſpée.*
54	33	imitate	incite.
105	9	*auxs*	*aux.*
112	28	Impriſonment	Impoyſonment.
120	2	it	he.
146	22	every	very.
157	8	your	the.
168	37	Cathedral	Abby.
210	18	have	have not.
246	30	*ad Infimandum*	*ad Infirmandam.*
296	13	*Religionis*	*Religioni.*

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